¶ IN THIS BOKE IS CONTEYned ye office of Shyryffes, Baylystes of lybertyes, Escheatours, Constables, & Coroners, and shewethe what euerye one of them may do by vertue of theyr offyces drawen out of bokes of the comen lawe & of the Statutes.

*

June 23, 1924

What the office of a shiriffe is, hereafter shall more playnlye appere but in a generaltye his offyce is rightuously and duely to retourne all wryttes and preceptes to him dyrected, and truelye to execute the same accordyng as he shalbe commaunded in the same writtes and preceptes. And that he take nothynge of any person for doynge hys offyce, but the due and accustomed fees to hym belongynge. And that he duely holde and kepe his countyes, courtes and tournes accordynge to the due course of the lawe. Upon these thre poyntes dependethe the hole charge and effecte of his offyce.

¶ The offyce of the Shyryffe is to retourue, good sufficyent, and reasonable issues & vpon suche persons as haue sufficient goodes or landes accordynge to the statute of Westm. 2.

Capitulo .xxxix. and. Edwardi .iii. Capitulo quinto.

℞ The shyryffe oughte to take the indytementes founde before hym in his tourne by indenture, and so shall Baylliffes of fraunchyses, one parte whereof shall remayne with the indytours, secundo Edwardi tercii. Capitulo. xvii.

¶ The Shyreffe may arreste men rydynge or goinge armyed, and cõmyte them to pryson, there to remayne at the kynges pleasure. ii. Edwardi. iii. Capitulo. v. at Northampton.

¶ Shireffes & vnder shyreffes shall receyue writtes in euery place within the countye without takinge ought, and shall make a byll whiche if they refuse other that be presente shall put to theyr seales. And if they retourne nat the same wryttes, they shalbe punysshed, and shall rendre damages to the party. ii. E. 3. Cap. v. at Northãp.

Shi=

¶ Shyrzeffes and gaylours shal receyue theues indited or take with the maner withoute takynge any thynge for the receite. 4. Edwardi. 3. Cap. 10

¶ Shyrzeffes shal leasse theyr Hundredes and Wepentakes after the olde ferme & nat aboue. An. 4. Ed. 3. Cap. xxb. & An. Edwardi. 3. Cap. viii

¶ Shyrzeffes ought to arrest persõs suspecte of felony goinge, by night or by daye whiche be of euyll fame, An. xi. Edwardi. iii. Capitulo. xiiii.

¶ The shyrzeffe in one countye shall haue no mo Bailliffes errant but one xiiii. Edwardi tercii Capitulo. ix.

☞ Shyrzeffes oughte to kepe theyre tournes euery yere within a monethe after Easter, and within a moneth after Wyghelmas. xiii. Edwardi tercii Capitulo. xiiii.

☞ Shyrzeffes that leuie issues fynes and amercyamentes in the countye, ought to haue the extreates enlealed

with'the sele of the Eschequer, so that as muche as is payed may be totted And if any shyrysse or mynister do the contrary he shall rendre to the partye treble damages, and shall make fyne to the kynge, and the sute hereof may be aswell afore Justicers of the peace as before other Justycers .xliii. Edwardi tertii. Capitulo. ix.

¶ The Shyrysses shall arraine the panelles of Assyse foure dayes before the sessyons at the least vppon payne of .xx.li. And Bayllyffes of lybertyes shall make retourne to the shyrysses vi. dayes before the Sessyons, vpon the same payne .xlii. Edwardi tercii. Capitulo. xi.

⁂ The shyreffe ought to examine loyterers and vagarantes, and compell them to fynde suretye of theyr good behauyour by suffycient maynprzs of such as be distreinable, if any defaute be foumde in such vagarantes. And

if they

if they can nat fynde such surety, then to commaunde them to the next gaile there to remaine vntyll the commyng of the Justycers of Gayle delyuery, they to do with such vagarantes as they shall thynke best. vii. Richardi. secundi. Capitulo. vii.

¶ The shyrysse shalbe founde foure tymes in the yere to make proclamacyon of the estatute of Winchester in euery hundred of his Baylewyke.

¶ The Shyriffe ought to take swerdes, daggers and hangers from seruauntes labourers, and seruauntes of craftes men, and vyttaylers that were thē, onles it be in tyme of warre or when they labour in the countrey, with their maisters or vpon their busynes. And the shyrysse shall kepe the same weapons, which they shall present vnto the Justycers of the peace at theyr Sessyons with the names of them that bere them. xii. R. ii. Cap. vi

¶ Shireffes ought to receiue labou
rers, seruauntes, beggers, and vaga
boundes, and them deteyne in prisone
withoute Bayle or maynpzyes, and
without fee or takinge any thynge at
theire entre or going out of pzyson v-
pon paine to forfait. C.li. to the kyng
Anno. xi. Richardi. ii. Capitulo. ix.

¶ Shyreffes and other ministers of
the kynge so soone as they shall haue
knowledge of assembles and ryottes
with outragious nombze of peohle,
oughte with the power of the shyre to
go and make resystence agaynst such
malice withal theire strength, & shall
attach such mysdoers and kepe them
in pzyson vntyl the due punyshement
of the lawe be executed vppon them.
And all maner of Lordes, and other
the kynges true lyege men oughte to
be assysted with all theyr power and
strengthe to ayde the Shyreffes and
other ministers therein. xvii. Ricardi
secundi

ſecundi Capitulo octauo.

¶ Shireffes ought to be perſonally dwellynge in theyr Baylewekes for the tyme, and they ſhall nat let them to farme. An. iiii. Henrici, iiii. Cap. v.

⚜ Shireffes ought to ſe and prouide that neyther theyr vnderſhyryffes, Bayliffes, Clerkes, nor Receyuours ſhalbe attourneis in the kinges courtes for the tyme of theyr offyce, primo Henrici quinti Capitulo quarto.

☞ Shyreffes ought to let to mayn-prys pſons indited of hereſy, and lollardes whiche are in theyr kepyng vp in tenne dayes vnder good ſuertye, ſo that they appere before ỹ ende of the ſaide. x. dayes. An. 2. Hen. v. Cap. vii.

¶ Shyreffes ſhall cauſe the ſtatute of purueiours to be proclamed foure tymes in the yeare, vpon payne. C. li. for euery tyme that he faileth ſo to do And vpon lyke payne ſhall delyuere the ſame to his ſucceſſoure to be pro-

claymed primo Henrici sexti. Capitulo secundo.

¶ Shiriffes must make due electiõ of knyghtes of the parlyament. ix. H. vi. Capitulo. iiii.

¶ Shyriffe must retourne such persons knightes of the parliament whi che be chosen by the greter nomber of the freholders dwelling in the county which may expend. xl. s̃. yerely aboue al charges. And that those knyghtes be dwellyng within the same countye And that he examyne euery freholder at such elections vpon a boke, howe much he may expẽde. And if any shyriffe retourne other knyghtes he shal forfayte. C. li. to the kynge, and shall haue one yeres imprysonment without bayle or maynprys.

¶ Shiriffes vpõ a p̃cept made vnto thẽ by Justicers of ỹ peace to inquire of forcible entre shal returne vpõ euery of ỹ turrours. xx. s̃. i fines at ỹ first day

day. And Justicers of the peace shall here and determyne such defautes of shyriffes by byl at the sute of the ptye or by inditemẽt. And they shal lese. xx. l. for euery defaut. And he ỹ wyll sue shall haue the one halfe. s. H. 6. Ca. 9.

¶ To auoyde Robbories & spoyles vpon the ryuer of Seuerne, & by the costes of forestes of Dean, and the Hundredes of Blodeslom, and West burye in the county of Glocester the Shyriffes of Glocester, or the Baylyffes of the towne of Glocester after notyfycacion made to any of them of such lyuerys, and damages, by the partyes greued, within foure dayes after suche notyfycacyon made shall make proclamacyon to the towne of Glocester, that such offendours with in. xv. dayes after suche proclamacyon, shal restore vnto the parties endamaged theyr gooddes so taken, or the value, with a reasonable amendes.

The

The said Shyreffes Bayliffes to for fayte, xx. li. if they fayle so to do. ix. Henrici. vi. Capitulo. xxviii.

☞ The shyreffe of Herforde neither in his tourne nor in any other place after the tourne endyd shall take any inquirie or inqueste of offyce, whiche ought nat to be taken there. Neither shal he take any fine or amerciament for thinges nat appertaininge to his office or tourne vpon paine to forfait x. li. Anno. ix. Henrici. vi. Capi. vii.

☞ Shireffes ought to retourne ī attainter ī ple of lande, mē of the yerely value of .xl. s̄. or in an action for dedes concerninge landes of suche value, and in actions of the sūme of. xl. li. and more, those persons dwellinge within theire Bailewike whiche may expende. xx l. yereli aboue al charges for terme of life at the lest, out of aun ciēt demesne Gauelkīde, & the. v. portes. And at ẏ fyrst distresse, xl. s̄. & at ẏ

seconde

seconde. C. S. & the double value of e-
uery other distresse againste the Jur-
rours, vpon paine of. x. l. to the kinge
and asmuch to the party. And if there
be nat sufficiente persons dwellinge
within the countie whiche may expen
de, xx. l. yerely: then shal they inpanel
other persons of the moste sufficiente
possession of yerelye value of landes,
and tenementes within the value of
xx. l. vpon paine to forfaite. x. l. to the
king and to the partye asmuch in the
fourme aforesaide. xv. H. vi. Capi. v.

¶ The shyreffe or vndershyreffe of
Herforde must arrest such persons of
Wales or the marches therof, which
be outelawed of treason, or felonye,
whome the sayde Shyreffe knowethe
or seyth to be in any place within the
sayde countye, and to bryng them to
the Gayle. And if any suche persone
beynge indyted do dissobeye or flye a-
waye, the sayde Shyreffe shall leuye

hue

uye hue and crye and purſue hym vpon paine to make fyne and ranſome to the kyng. xxiii. Henri. vi. Capi. v.

☩ The Shyrriffe ſhal nat occupy his office aboue one yere, and if he ſo do, than to forfayte .xx.l. and euery pardon for ſuche offences ſhalbe voyde, any wordes put in ſuch letters patentes natwithſtanding. Alſo he ỹ preſumeth to occupy the ſame office aboue one yere by force of ſuch letters patentes ſhalbe diſable to be ſhiriffe in any other ſhyre afterwarde. 23. H. 6. Ca. 8.

¶ No ſhyrryffe ſhall let to ferme his county, nor any of his Baylywykes hundredes, or Wepentakes.

¶ No ſhyrryffe, Baylyffes of fraunchyſe, ne other officer ſhall returne in any panell, any of his Baylyffes, officers, or theyr ſeruauntes.

☞ No ſhyrryffe nor any other to any vſe ſhall take ought of any perſon to be arreſted, or attached, nor to ſurceaſſe

ceaſe of any arreſt or attachement to be made by the body. Nor ſhall take ought of any perſon arreſted, or attached for fyne, fee, ſute of priſon, mainpris, lettyng to bayle, or for ſhewyng any fauour or eaſe to any perſon beynge ſo arreſted excepte it be as here foloweth, that is to wete to ỹ ſhyryffe xx.ð. to the bailliffe that made the arreſt .iiii.ð. and to the gayloure if the priſoner be cõmitted to warde .iiii.ð.

☞ The ſhyryffe him ſelfe nor any to his vſe ſhall nat take any thynge for the makynge of any retourne or panell. but for the coppe of the Panell. iiii.ð. How be it they vſe to take .ii.s. for the retourne of a panell: but that ſemeth to be extorcion.

¶ Shyriffes ought to let out of priſonne all perſonnes beynge in theyr warde, by force of any wrytte byll or warraunte in any accyon perſonall, or indytemente of treſpace vppon a reaſonable

reasonable surete beynge suffycyente in the countye to kepe theyr dayes in the places as the sayde billes writtes or warrantes requyre, excepte suche as be condempned, outlawed or excō mudicate, or for suretye of the peace or by the commaundemēt of any Justycer, and vagaboundes whiche refuse to serue.

Also Shyreffes ought nat to take any obligaciōs for any thinge aboue meneyoned, or by coloure of theyr offyce but onelye to them selues, nor of any persone beynge in theyr warde, but by the name of theyr offyce, as by the name of Shyreffes in the oblygacion, vpon condicion that the parties shall appere at the dayes conteyned in the wryttes, in suche places as the billes, writtes, or warrantes requyre And if any oblicacion be takē of any person by colour of their office in any other fourme, it shalbe voyde.

Shyreffe

¶ Shyryffes ſhall nat take for any obligacion warrant or precept by the to be made any more than .iiii.d.

¶ Shyryffes muſt make theyr deputies yearelye in the kynges courtes, that is to wete in the chauncerye, the benche and the eſchequer of record before they returne any wrytte.

⚜ Shyriffes that do contrary to this ordynaunce in any poynt ſhal leſe to the party greued treble damages, & ſhal forfayte .xl.li. for euery time that they ſhall ſo offende, the one halfe to the kynge, the other to him that wyll ſue. xxiii. Henrici. vii. Capitulo .x.

Shyryffes when writtes be directed vnto them to leuy the expences of knyghtes of the parlyamente, muſte make proclamacion at the next countye after the delyueraunce of the ſame wryttes, that the Coroners, Conſtables and Baylyffes of hundredes ſhall be there to aſſyſe theyr

wages, vppon payne of .lx. s. what tyme they shall assesse euery hundred at a certaine summe by it selfe, and after they shall assesse euerye village within the same hundred at a certayn summe by it selfe. And if they be otherwise assessed, for euery defaute they shal forfaite .xx. li. The one half wher of shalbe to the partye that wyl sue. And the shyrffe shall leuie the same duely, and shal pay it to the knightes of the parliament vpon payne of .xx. li. And the partye that will sue shall haue his accion by Scire facias, and shall haue .x li. aboue the .xx. li. with treble damages. xxiii. Henrici sexti. capitulo vicesimo secundo.

¶ The shyrffe after the deliuerie of any wrytte to make election for the knightes of the parliamente, muste make a sufficiente precepte vnder his seale to euerye Mayre and Bailiffe of Cytyes and Boroughes, within the

the countye, them commaundinge to electe Citezins, & Burgesses to come vnto the parlyamente. And the sayde Mayze and Baylyffe shal truelye retourne the same pzecept to the shyzziffe by endenture betwene them foz the election and names of them that are so chosen. And the shyzyffe is bounde to make a good and true retourne of euery suche wzyt, & of euery retourne made to him by the Mayze and Baylliffes. And foz euerye tyme that the shyzyffe shall do contrarye to this oz any other estatute made foz the electi on of shyzyffes to come vnto the parliamẽt he shal encurre the paine of one C.li. to the kinge, and a yeare imprisonment withoute bayle. And mozeouer shal paye vnto the persone so beinge chosen, knighte, Citezins, oz Burges and nat duely retourne, oz to any other persone, whiche in defaute of suche Knyghte, Burgesse,

or citezin wyll sue therfore, one hundred pound to be recouered by accion of dette.

¶ And the shyrysse ought to make suche elections in the ful countye betwene the houres of, viii. and, xi. before noone, and to make a good and true retourne of such elections vpon payne to forfayte an. c. li. to the kinge and as muche to the partye that wyl sue therefore agaynste the shyrysses, theyr executors, or administers. xxiii. Henrici. viii. Capitulo. xv.

¶ Shyrysses in theyr turnes ought to inquire, heare or determine, if any minister. of the warden of the courte in the marches of Scotlande, or yf any other arreste any persone by hys bodye, or attache him by his goodes out at the countyes of Northumberland, & Cumberlãde & westmerland & the towne of Newcastel to answere in any of the sayde courtes: or els by coloure

lowre or cause of anye proceſſe in the ſaide courtes: for in ſuche arreſtes it ſhalbe lawful for euery man to make reſiſtence. And the party greued ſhal haue an accion of falſe impriſonment or treſpas and ſhal recouer treble damages therfore, and the defendaunt ſhal haue two yeares impriſonmente, and the ſhyrffe ſhal haue power to procede thereupon, as wel as vpon a preſentment made in his courne. xxxi Henrici ſexti, Capitulo ſecundo.

¶ Where as ſome men by diſſimulacion and other meanes fayne themſelues to be louers to women vnmaried as Maidens, or Wydowes hauinge great poſſeſſion and ſubſtance of goodes, & get ſuch wome into they' poſſeſſiõ, & conuey them into ſuch places, from whence they will nat ſuffre them to go at they' lybertye, except they will make to them obligacions of greate ſummes to be payed vnto

them or cause them to be bounden in estatute Marchaunte, or some tyme wyll compell them to be maryed at theyr pleasure, whiche if they refuse to leuye vpon them the summes conteyned in the same oblygacyons and statuts, it is orodeined that the party greued shal haue a writte oute of the Chauncery comprisinge the hole matter of theyr vnreasonable intreatinge directed to the shyriffe, commaũding him to make proclamacion at ẏ nexte Countie after the receyte of the writte that the offendour shall appeare at a certayne daye and place prefixed in the writte before the Chauncelloure or the Justicers of Assyse of the shyre where suche offences shall hap to be done or before some other persone assygned by the Chauncelloure. And the shyryffe to whome suche a wrytte shalbe directed, and shall execute the same accordinge to the tenoure

therof

thereof vppon payne of.CCC.li. the one halfe to the king, the other to him that wyll sue therefore by wrytte of dette, wherein no wager of lawe, protection, nor forryn plee (to cause the matter to be tried in an other countie then where the writte is brought) shalbe allowed. xxxi. Henri. viii. ca. viii

¶ Upon euery inditement or presentment taken before shyrffes or theyr ministers in theyr tournes, or lawedayes, they shal deliuer the same inditementes and presentmentes to the Justyces of the peace at theyr nexte Sessions vpon payne of. xl. li. And ỹ Justices of the peace shall awarde proclame vppon the same, as wel as if they had ben take before them selues and shall arrayne those that be so indyted of felonye, and shall sette fynes vppon suche as be indyted of trespas, the extreates of whiche fines shalbe rolled by indēture & deliuered

vnto the same shyryffes or ministers ¶ And if any shyriffes or theyr ministers arreste or attache any person by coloure of any suche indytemente or presentment in theyr tournes or lawe dayes, or els take any fyne or amerciament therfore they haue procesſe frō the Justycers of the peace, or afore ỹ extreates oute of the Indytementes shalbe delyuered, they shall forfayte C, li. the moytie wherof shalbe to the partye suynge therefore by wrytte of dette in whiche no wager of lawe nor protection shalbe alowed. 1. Edwardi. iiii. Capitulo vltimo.

¶ Uppon an informacion made to Justycers of peace, or to other Justycers against any person for retayning or gruynge of lyuereys, or agaynste any that is reteyned or taketh liuerye the Justycers shall make procesſe thereupon, as vppon a recouerye of dette or trespas. And if the shyryffe in

any

any ſute graunted ther upon agaynſt any perſon being ſufficient, retourne any leſſe iſſues, then. xx. s. at the fyrſte day of the diſtreſſe, and at the ſeconde day. xxx. s. and at the thyrde daye. xl. s. And ſo at euery daye after, more by x. s. in iſſues for euery ſuche retourne he ſhall forfayte. xx. s. viii. Edwardi iiii. Capitulo. ii.

¶ The old ſhyrriffe ſhal haue power to retourne writtes, and to execute his offyce durynge the terme of ſaynt Myghel, and Hillarie, after the yeare of hys ſayde offyce expyred, onleſſe he be lawfully diſcharged therof before xv. Edwardi. iiii. Capitulo. ix.

¶ No ſhyrriffe, nor other officer ſhal ſeaſe or take the goodes of any perſõ being arreſted or impriſoned for felonye vntyll the ſame perſone be duelye cõuict or attainted of the ſame felony by courſe of the comon lawe, or excepte the ſame goodes be otherwyſe

lawfully forfayte, vpon payne to forfayte the double value of the goodes so taken to the partye greued suynge therefore by accion of dette, wherein no wager of lawe, essoyne, nor protection shalbe alowed. 1. Ri. iii. Cap. iii.

¶ No baylyffe nor other officer in any pancll within any county of this realme shal retourne anye persone to be put in or vpon any inquirie in the turnes of shyrryffes, but suche as be of good name and fame hauinge freholde to the yearely value of. xx. s. or copsholde to the yerely value of. xxvi s. viii. d. at the lest, aboue al charges, vpon payne to lese for euerye persone nat beinge sufficiente, at euerye tyme that they shal so do offence. xx. s, and the shyrryffe other. xl. s. whereof the one moytye shalbe to the partye suynge therefore by accyon of dette, in whiche suyte no protection, nor essoyne shalbe allowed. But wa-

ger

ger of lawe is nat expzeſſed. And foz that cauſe it behoueth to make infoz-macyon therof in the eſchequer. i. Richardi. iii. Capitulo. iiii.

☞ Shyzyffes oz other hauynge the cuſtodye of Gayles ſhal certifie the names of euerye pziſoner beinge in theyz cuſtody, and to them committed foz felonye, vnto the Juſtycers at the nexte general Gayle deliuerye to be kalendzed; vppon payne to fozfayte foz euery tyme that they ſhall make defaute in ſo doinge. c.s. iii. Henrici vii. capitulo. iii.

¶ Alſo the ſhyzifke noz no other pſon in his name oz by his cõmaundement ſhal enter no plaintz into theyz bokes in no mans name onles the plaintife be there in his pzoper perſon oz els by ſufficient atturney oz deputye that is knowen of good name and the playntife ſhal finde pledges perſones that be knowen in that countye to purſue

his playnte, and the playntyfe shall haue but one plainte for one trespas or one contract. And if the shyrriffe or any other his officers cause to be entred any mo playntes then the playntyfe supposeth that he hathe cause of action against the defendaunt, than the shyrriffe or hys clarke that dothe cause to be entred any suche playntes contrary to this acte shal forfayt for euery defaute. xl. s. the one halfe to him that wyl sue and proue the same mater by acciõ of dette or informaciõ

¶ Also the shyrryfe shall make sufficient preceptes after suche playntes entred agaynste the defendaunte directed to the baylyffe of the hundreth to attache or warne the defendaunte to appeare and answere to the sayde playntes, and if there be any defaute in the sayde baylyffe of the hundreth in warnynge or executynge of theyr offices then to forfaite.

xl. s.

xl s. and to be counict therof by examinacio of the Justycers of the peace or any of them.

¶ The same shyryffes nor theyr deputyes shall make none estreates to leuie the shyre amerciamētes til that it. Justycers of the peace whereof one to be of the Quorum haue the syghte of theyr bokes and the estreates to be endented betwyxte the Justycers of peace and the shyryffe and vnder shyryffe sealed with theyr seales, the one parte to remaine with the sayde Justicers, and the other parte with the shyryffe.

¶ And those persons that shalbe gatherers of the sayde amercyamentes shalbe swore by the sayde Justicers ẏ they take no more money then is for fayt & conteined in ẏ estreates sealed with the seales of the Justicers to the same vppon the same payne of forfaytoure as is aboue rehearsed, the same

ſame gatherers to be conuict by exa-
mination of the ſame Juſtycers, or
one of them. And the ſame Juſticers
of peace ſhalbe appoynted at the Seſ
ſions holden at Myghelmas by him
that is cuſtos rotulorum, or in his ab
ſence by the eldeſte of the Quorum to
haue the controlment of the ſayde ſhe
ryffes, vnderſhyryffe ſhyre clarkes
and other of the ſayd offycers and of
the ſayde ſhyryffes amerciamentes.
And the ſaid Juſticers of peace vpon
ſuggeſtion ſhal make proces a gaiſt
the ſhyryffe, vnderſhyryffe ſhyre clar-
kes or other officers to appere before
them to anſwere to ſuche ſuggeſtion
or informacion as is vſed in accion
of treſpas. Anno ſecundo Henrici. vi.
capitulo, tii.

¶ Alſo euery ſhyryffe ſhall cauſe to
be taken al vacabundes ydle people
and ſuſpect perſons and ſette them in
the ſtockes, there to remaine at ye fyrſt
taking

takinge by one daye and one nighte and at the seconde tyme to be in the stockes, by thre dates and thre nighties with bread and water. And if any shyriffe execute nat these premisses of euery vacabunde heremite or begger able to laboure, or clarkes pilgrims or shipmen as often as any such commeth in sight, or that he hathe thereof any knowlege within the towne or place where he hathe auctoritie that as ofte as any suche misdoer abideth there aboue the space of one daye and one night any depart vnexamined & vnpunished, for euery misdoer so departed the Shyriffes to lose. iii. s, iiii. d. and the Shiriffe in his tourne hathe auctoritie to inquire of all the defautes of Mayres, Bailiffes, highe Cunstables, petye Cunstables and all other gouernoures, and of other gouernoures, and officers of Cities, Townes, and Vyllages,

wythin

within theyr tourne and to haue .iii. s.iiii.d. for euerye defaute founde in his tourne. An.xb i.Henrici.vii.Capitulo.xii.

❧ Also euery shyryffe vpon a precept dyrected vnto hym by the Justicers of peace to returne a panel to inquire of any ryotte or vnlawefull assemble commytted shal retourne.xxiiii. persons dwellynge in the shyre, euery of them hauynge. xx. s. of freholde or xxvi.s.viii.d. of copyholde or of both ouer all charges and to retourne in issues euery person.xx.s, at the fyrste day, and at the seconde day.xl.s, and if the defaut be in the shyriffe for to retournynge of persons nat beynge of that sufficiēce or for none retourning of issues in fourme before sayde he to forfayte.xx.li, An.xvi.H,vii.Cap.xb

¶ Also if anye ryotte or assemble of people be made in any parte of thys realme agaynst the lawe, the Justy-

cers

cers of the peace, or two of the at the leaſt, and the Shyrriffe or vnderſhyryffe may come with the power of the countye (if nede be) to arreſte and bryng them before the ſame Juſtycers of the peace. And the Shyryffe or vnderſhyrryffe haue power to recorde that, that they ſhall fynde in theyr preſence done contrarye to the lawe, and the offendour ſhalbe conuycte by ſuch recorde. And if they be departed before the commynge of the ſayde Juſtycers, Shiriffe, or vnderſhyrriffe, then ſhall the ſame Juſtycers or two of them within one moneth after ſuch riot, enquire diligently where the aſſemble was made. And if the truth can nat be founde, then the ſame Juſtycers, or two of them, and the Shyrriffe or vnder Shyrryffe abouе ſayde, within a moneth nexte folowynge, ſhall certyfye before the kynge and his counſell the hole dede

withal the circūstances therof, which certificat shalbe as strong to put the partyes to aunswere therupon, as an indytemēt found by twelue men. An. xiii. Henrici quarti Capitulo vltimo.

¶ And if the sayde ryot or vnlawful assemble be nat founde (by reason of any embracerye or mayntenaunce of the sayde Jury) then the said Justycers of peace and the Shyrffe ouer and aboue suche certyficat that they must make according to the sayd statute made. Anno. xiii. Henrici quarti shal in the same certificat certifye the names of the sayde mayntenours & embrasyours in that behalfe (if any be) with theyr mysdemeanours that they knowe, vpon-payne of euery of the sayde Justycers, and shyrffes or vnder Shyrffes. xx. li. if they haue no reasonable excuse for none certyfiynge of the same whiche certyficat so made shalbe an indytemente in the

lawe

lawe. And euery perſon duelye pꝛo-
ued to be maintetnour oꝛ embꝛaſtour
ſhall foꝛfayte .xx.li. and to be commit
ted to warde there to remayne by diſ-
cꝛecyon of the Juſticers. An. xix. Hen
rici ſeptimi Capitulo. xiii.

¶ Alſo that no Shiriffe vpō wꝛittes
and pꝛeceptes dyꝛected to hym do re-
tourne beforꝛe Eſcheatours oꝛ Com-
myſſyoners any perſon to enquyꝛe of
any landes oꝛ tenementes, except eue
ry of the ſame Jury haue landes and
tenementes of the yerely value of .xl.
ſ. aboue al charges in the ſame ſhyꝛe
vpon payne of foꝛfayture foꝛ euery p
ſon ſo retourned a hundꝛed ſhyllyn-
ges. Anno tercio Henrici octaui Ca-
pitulo ſecundo.

¶ Alſo all panels put in the ſhyꝛyffe
beforꝛe any tuſticer of gaole delyuere,
oꝛ beforꝛe Juſticers of peace, whereof
one to be of the Quoꝛ) in their open
ſeſſyōs to enquire foꝛ the king ſhalbe

puttynge to, and takynge out of the name so impaneiled by discrecion of the same Justicers. And that ỹ same Justicers or Justicer shal cõmaunde euery Shirriffe and theyr mynisters in their absences to put other persons in the same panell by theyr discrecion and the same panell so retourned by the Justicers to be good. And if any shyrriffe do nat retourne the same panell so retourned, then euery shyrriffe so offendynge for euery suche offence shall forfayte .xx.li. halfe to hym that wyll sue by action of det, bylle or complaynt where such shal fall or be, and no wager of lawe, essoine, nor protection shalbe allowed.

☞ Also vpon euery exigente (where wryttes of proclamacion are to be awarded) the same wrytte of proclamacyon to haue the same daye of retourne that the exigent hath, and to be deliuered of recorde, and the Shyrriffe

tiffe to make proclamacion thre seue-
ral daies in his plain county, wherof
one of the proclamacions to be made
at the generall sessions in those par-
tyes where the partye is supposed to
be dwellynge, that he yelde hym selfe
to the Shiriffe of the foren shire that
the Shyriffe maye haue the bodye at
the day of the exigent retournable to
answere to the playntes, and that the
shyriffe of the saide county that hath
suche wryttes of proclamacion duely
execute the same and therof make due
retourne at the daye appointed in the
same wrytte, vpon payne to forfayte
suche amercyament as by the Justy-
cers shalbe assessed.

¶ Shiriffes, Bailiffes, Constables
and all other hede officers, and euery
of them fyndynge or knowynge any
person vsinge or exercysynge any vn-
lawefull games contrarye to the sta-
tute, haue ful power to cõmitte euery

suche offendour to warde there to re-
mayne without bayle or maynprise
to suche tyme, as they so offendynge
be bounde by obligacyon to the kin-
ges vse in such summes of money as
by discrecion of the sayd Shyrrffes,
or other offycers shalbe thought rea-
sonable, that they from hense forth
shall nat vse any vnlawfull games.
Anno. septo. H. octaui. Cap. secundo.

☞ If any impotent parsone begge
within any other place then within
such lymyttes as he shalbe assigned:
the shyrrffes and al other the kinges
offycers shall by theyr discrecyon pu-
nysshe such persons by imprysonment
in the stockes by the space of. ii. daies
and two nyghtes giuyng them bread
and water onely, and after that cause
them to be swore to retourne agayne
to the place where they be lycensed to
begge. Anno. xxii. Henrici octaui Ca-
pitulo duodecimo.

¶ The Justicers of peace vpon in-
formacio or presentmēt made against
any Towneshyp for none executyng
of this acte, shall make proces by di-
stres against the inhabytantes of the
towne, and therby the Shyryffe shall
distreyne the goodes of one or two of
the inhabitauntes of the towne as he
may know for neclygent in the towne
and retayne the dystres tyll he fynde
surety to appere at the sessions before
the Justycers.

¶ And vpon the retourne of the shy-
ryffe of the dystres, if the persone ap-
pere nat, then euerye suche persone to
lose. xl. ð. at the fyrst dystres, and at
the seconde dystres. vl. s. viii. ð. vpon
his defaulte, and so to be double at
euery dystres tyll apperaunce be had
¶ Shyryffes that haue custodye of
Gaole shal make seales to be grauen
with the names of the castell that he
kepeth, for to gyue and seale wrytes

to prysoners acquyted to begge for
theyr fees within the hundreth where
he is delyuered by. vi. wekes next af-
ter his delyuere, and then to go to the
hundrethe where he laste dwelled by.
iii. yere, or where he was borne. The
Shiriffe shall nat suffre any such pry
soner to begge for his fees, nor to de-
parte but to do seruyce and laboure,
tyll that he delyuer hym suche letter,
and the Clerke of the peace to make
the bryefe within one daye after the
sessyons, vpon payne of twelue pens
to the kynge. Anno. xxii. Henrici. viii.
Capitulo. xii.

¶ For distoyeng of Crowes, Rokes
and Choughes, it is ordeyned that e-
uery person hauing any maners lan-
des and tenementes in theyr manu-
rance, shall do as muche as in him is
resonable to kyl and destroy the same
Crowes, Choughes and Rokes bre-
dynge or abydynge vpon his landes

or

or tenemētes, vpō paine of a greuous amerciamēt to be set. And if the office be within the limittes of letes, rapes, or court barons, then to be set by the stewarde with two of the presentours by the Stewarde and presentours to be named vpō the presentment found and presented, and to be reasonablye assessed after the quātite of the office And the amerciament to be to ꝑ lorde of the lawdaye, and if any person be lorde of suche manours, or inhabyte there (where vnto any suche lawdaye or rape is belongynge) then vpon a presentment had before the Shirysse in his tourne with two of the presentours to be chosen by the presentours shall cesse the sayde amerryament by theyr discretion to the vse of the king and be leuied by distres. Anno .xxiiii. Henrici. viii. Capitulo .x.

¶ And the shyrisses in theyr tournes shall gyue in charge to the tenantes

and inhabitauntes apperynge before
them that they ſhall duely enquyre,
and putte in execucyon the effecte of
this acte.

¶ Shyrriffes ſhal holde their courtz
from moneth to moneth. And where
greater tyme is wonte to be, greater
ſhalbe. Magna Carta. Capt. xxxiii.

¶ The kynge commaundethe that
ſhirriffes and theyr offycers which re-
ceyue his det ſhall acquyte lawfully
the dettours at the next accomptes af-
ter that they haue receiued the dette:
and then it ſhalbe allowed at the Eſ-
cheker, ſo that it ſhall nat come in the
ſomons after. And if the Shyrryffe
do otherwyſe, and be attainted therof
he ſhall rendre thre tymes ſo much as
he hath receiued, and ſhall make fyne
at the kynges wyll. And if an other
do it, for whoſe hande he is aunſwe-
rable at the Eſchequyre, he ſhall ren-
dre the treble therof to the plaintyffe,

and

and ſhall make fyne in the ſame. And the ſhyꝛyffe ſhall make tayles to all them that haue paide him the kinges dettes. Weſtminſter pꝛymer Capitulo nono.

Concernynge ſhyꝛyffes and other whiche haue leuyed the kinges dette, and make tayles oꝛ other acquitance to the dettour, and diſcharge him nat.

It is agreed that when the ſhyꝛiffe is inpleded therfoꝛe in the Eſcheker by the dettour, if he come nat at the dyſtres; then ſhall an other diſtres be awarded retoutnable at a certayn day wherein it ſhalbe commaunded that pꝛoclamacion be made in the ful cou-ty, that the defendant ſhal come in by a certayne day to acquite the dettour of the ſumme, foꝛ which he made him the acquitance oꝛ tayle, at which if he come nat in, and the wꝛyt be retourned and the pꝛoclamacion certified he

ſhalbe

shalbe holden conuicte, and the dette shalbe leuied of hym, in lyke maner as det recouered, against hym in the kynges courte, and damages shalbe awarded to the playntyfe accordynge to the discrecion of the Barons. xiiii. Edwardi. ii. in the statute of Attaintes, the last Chaptter.

¶ The kyng commaundeth that al Shiriffes, and Bailliffs which haue receiued his dettes, of the somons of the escheker, which acquite nat ỹ dettours vpon the next accompt, shalbe punyshed accordinge to the estatutes made. Distrelles of the Eschequyre. Capitulo quinto.

¶ It is ordayned that execucyon of wryttes which come to the Shyriffe, be made by the hundrededers knowen and sworne, and in the ful counti, and nat by others, if it be nat for greate scarsyte of hundredars. For then it shalbe done by other persone couenient

uient and sworne. The statute of Lincolne the laste Chapiter.

¶ Shiriffs shal nat be charged with the leuieng of any issues, nor shall leuye any before they come out of the Escheker by the extrates there to be leuyed. And if percase any Shyryffe retourne issues vpon any recognitor pledge or manucaptor, by hi assessed and retourned into our court, which to the paymente of the same issues or amerciamentes at the tyme of the retourne was insufficiēt: the same Shiryffe shal be charged therewith at the Escheker, and shal make tayles to all persons of all maner of thinges by hi receyued, and shall nat retourne any where the names of manucaptores, Jurrours, or other except it be accordynge to the tenour of the wryttes to them directed, nor shall retourne the names of pledgs of fre men any wher onles they haue manyfestly confessed

them

them selues pledges. The statute of Fynes. Capitulo secundo.

¶ No shyryffe coroner, or other the kynges mynysters shall take no reward for doynge his offyce, and if he do, he shall pay the double, and shall be punysshed at the kinges wyll, but shalbe payde of that which they take of the king. Westminster. i. Ca. xxvi.

¶ Shyrriffes shal nat suffer any barretoure or mayntenour of matters within his county, neither stewardes of greate lordes or other (whiche be nat attourneyes to theyr lordes to do theyr suytes) nor to syt vpon the iudgementes of the countyes, nor to pronounce them except he be therto required of al the sutours and attourneys that shalbe there at the same iourney. And if he do the contrarye, the kyng shall take it greuously e to the Shyryffe and the offendour. Westmynster primo Capitulo. xxi.

¶ It shalbe lefull for euery shyrysse Justicer of peace and Escheatour to sease to the kyngs vse al such goodes and catels that such persons as come within this realme ỳ be called Egipsiãs haue, and therof to make accõpt to the kynge in his Escheker, and to retayne and kepe the moyte therof to his owne vse, and accompte for the residue, and to pay no fees for the accompte nor for his discharge therof. ✤ In the Statute it appereth what thing the shirriffe ought to do by reson of his office, and that he ought not to take any thynge for doinge his office but onely that whiche is appoynted to him by the same estatute. And if he do or take any thynge otherwyse, it is extorcion which ought to be enquired vppon by Justycers of the peas, and the shyrysse shalbe punished therfore. ¶ And if any shirriffe do any extorciõ to the people, and be duly attaynted

therof

therof he shalbe straytlye punysshed therfore at the pleasure of the kynge. Anno primo. Hen. iiii. Capitulo. xi.

¶ Shyrryffes maye, and are bounde to enquyre of comen anunsanc} done to all maner of the kynges iubiectes, but nat of assaultes made vpon any pryuate person for that is but a perty culer offence, by Martin. iiii. Hen. vi.

¶ The shyrryffe must kepe his turne within a monethe after Easter, and within a moneth after the feast of S. Mighel. And if he kepe it at any time after the moneth of the sayde feastes, it is voyde by the estatute of. An. xxxi Ed. iii. Capitulo. xix. And all indytementes, and presentmentes, there taken after the same tyme be voyde.

¶ Blodeshed shalbe enquyred of in the shyrryffes tourne, bycause it is an artycle that is to be inquyred of in t Lete. Al Letes be deryued and taken out of the Shyrryffes tournes, in so much

mucht that for defaute of inquery in
letes of thinges inquerable there the
same thinges there omitted ought to
be inquired of in the turnes of shyryf
fes. M.viii. Edwardi.iiii.

¶ And all the Justycers sayde that
the shyryffe in his tourne hathe auc-
toritie to inquire of all thinges that
be tresspas or felony bi the comon law
(except the death of a man) but of tres
pas or felony made bi estatute the shi
riffe in his turne hath no power to in-
quire of. M.xxviii. Edwardi.iii.

¶ And if the shyriffe in his tourne in
quire of nusances, that shoulde be in
quired of in the Lete of an other, and
the same be founde, yet maye he nat
distraine for the amerciament of such
a presentment. For if he do he is tres-
passoure. But if there were a defaut
in ỹ lorde of the Lete in that he wolde
nat inquire or fynde the same, whan
he ought to haue inquired thereof. in

this case it semeth that the shyrffe in his turne may inquire of it in defaut of the lorde. M. xxviii. Edwardi. iii.

❧ And if one haue a fayre or market by graunt or prescripcion, and kepe nat his fayre or market as he ought the Shyrffe ought to inquyre there of in his tourne. xxii. Henrici. vi.

¶ Uppon a presentment of Nusance in the shyrffes turne, the partye shal be amerced there by the shyrffe, whiche may distraine for the amerciamēt And if pourpresture be presented there the shyrffe may abate the same, and retourne it. M. xxvi. Edwardi. iii.

¶ Also it appeareth by the booke of Briton that vnto the turne of the shyrffe ought to come al the freholders of the hundred, and other lande tenauntes (Clarkes, men of religion and women onely except) where at the shyrffe shal cause. xii. of ỹ most sage and sufficient persons of the hundred

to be

to be ſwoꝛne. And then ſhall all the reſidue be ſwoꝛne by doſins, and by ỹ townes, which ſhal make theyꝛ preſẽtment to the fyꝛſt. xii. Iurrours vpon the articles where with they ſhalbe charged, And it ſemeth that the Shyriffe ought to holde his tourne in euery hundꝛed within the countie.

¶ What thinges be inquirable in the Shyꝛyffes tourne.

FIrſte they ſhall inquire if there be any miſdoer in the hundꝛed of whom any ſtandeth in doute of life oꝛ lim, and what is his name.

☞ Alſo they ſhall inquire of all moꝛtall enemies, to the kinge, the quene, theyꝛ chyldꝛen, oꝛ counſellours, of counterfeatinge the kinges ſeale oꝛ his money, of manſlears and murderers, of burners of others coꝛne oꝛ houſes felonouſlye, of Burglours of Robours, of theues, of outlawes

of those that haue abiured the realme and cumme agayne, of sorceters and witches, of miscreantes and heretikes, of traytours and of prisoners, of cutters of purses, of vsurers, of victuallers bienge and sellinge wittinglie stolne flesshe of them that wittinglie make white the skinnes of beastes stolne, of receyuours that wittinglie bye stolne clothes, and dresse them into an other facion, of treasour hyd in the grounde, hues & cries wrongefully or rightfully leuied and nat pursued, or waters stopped. straightened or tourned, of boundes pulled vppe or wrongfully chaunged, of walles. houses. gates, marlepittes, ditches or other disturbances made or leuied vpon any common way to the annusaunce, of petye brybours that shere shepe to haue the wulle. of suche as take thefbote, and of those that haue made a prisone of theyr owne house

or house

yꝛ houſholde, of pounde breache, of treſpaſſours in parkes and pōdes. of takers of other mennes doues, of the aſſiſe, of breade and ale broken. of thē that bye and ſell by meaſure agaynſt the aſſyſe, of chaunce medleys, of conteckoues, of bloudeſhed, of watches, vnkept, of the kinges highe wayes nat enlarged, of thoſe that haue kepte appeachours in any other priſon thē the kīges oꝛ any other felon aboue a day & a night, of newe liberties, cuſtomes, oꝛ iuriſdiccions vſurped ſyns ỹ laſt tourne on water oꝛ on lande, of weyffes, of wꝛeckes of the ſea founde and kepte awaye, of bꝛidges and cauſeis bꝛokē, and who ought to repaire them, and of thoſe that clayme fraunchiſes, oꝛ iudgementes realles. and of al thoſe of the age of .xii. yeres gon out of the hundꝛed, which be nat come into the tourne (excepte Clarkes, knightes theyꝛ childꝛē & wiues which

be nat in dosyns) of vacabounde by the countrey which are of no mannes retynue, of whom there is any euyll suspeccion of lewde demeanour.

⚜ And when the townes haue gyuen theyr verdyte to the fyrste Jurrours, then immediatly shall the fyrste Jurrours go and gyue vp theyr presentment such as they wyl abyde by. And the presentment of felonyes they shall shewe prynely, and the other openly. Briton.li.i. folio.xxviii.

¶ Nowe must ye inquire further if baylyffes of liberties and fraunchises, haue duely done theyr office whiche resteth in thre poyntes, whiche is that they truely execute the preceptes whiche be dyrected vnto them accordyng to the tenours of the same, and that they make due answere and retourne to the shyrryffe of the same preceptes, and that he take nothinge for doynge his offyce but onelye the

fees

fees to him due, and apoynted by the course of the law, and what fees they shal take, and what thinges thei ought to do by reason of theyr office shal appeare more playnly here folowynge.

☞ The office of Baylyffes of liberties.

Upon a precept made by the Shyryffe to a Baylyffe of a libertie upon a wrytte of distres directed to the shyriffe to distrein the defendaunt in the same wrytte, or the Jurrours in any inquest, the baylyffe must retourne good and sufficient issues upon the defendant. or upō the Jurrours if they haue sufficiente goodes or landes within his baylywyke, and if he do nat the plaintyfe in the accyon shall haue auauerment that he myght haue retourned greater issues, if the defendaunt make defaut, or ỹ iurrours by ỹ sta. of. i. E. iii

Capit.b. And Justicers of the peace muste inquire if the Bayliffes haue done theyr office in that poynt.

¶ Also they muste inquire if bayliffes of liberties whiche be kepers of any gaile, enforce any of theyr prisoners to be appealours to the entente to haue a fyne of the parties appeled for doute of imprisonment. primo Edwardi iii Capitulo. vii.

⁂ Baylyffes of liberties which take inditementes in theyr tournes, or other where, ought to take them by indenture. wherof the one partie shal remayne with the inditoures, and the other with the Baylyffe. ii. Edwardi iii. capitulo. xvii.

¶ None shalbe made Bayliffe of liberties, except he haue sufficient land in the place where he his minister, to make aunswere to the kinge and his people. iiii. Edwardi. iii. capitulo. ix.

¶ Baylyffes of liberties whiche be

Gailours

Gayloures and haue the kepinge of
prisõs ought to receyue & safely kepe
all theues deliuered to them by the
Constables of the townes, beinge in
dited, taken with the maner, or appea
led of felonye without takinge ought
iiii. Edwardi. iii. Capitulo. x.

¶ Bayliffes of liberties muste re-
ceyue such persons as be arrested in
theyr fraunchise by the Constables,
for suspicion of felonye. that walke
in ỹ countrey by nyght, or be of euyl
name, and shall kepe them in prisone
vntyl the cominge of the Justices of
Gayle deliuerie, and in the meane
tyme the Bayliffes muste inquire of
them. v. Edwardi. iii. Capitulo. xiiii.

¶ Bailiffes of liberties, Constables
and other officers of townes where
loyterers and vacabounde resorte
haue power to examyne them dili-
gently, and compell them to fynde su
ertye by sufficiente mainpernours be

ynge dyſtreynable of theyr good behauoure. And if any defaut be founden in the ſame loyterers and vacaboundes, and can nat fynde ſuretye, they ſhalbe ſente to the nexte Gayle there to remayne vntyll the comynge of the Juſtycers of Gayle deliuerie which may do with them as they ſhal thynke beſt by the courſe of the lawe.

vii. Richardi. ii. Capitulo. v.

¶ No ſeruaunte or labourer at the ende of his terme ſhal departe out of the hundred or Rape where he is dwellynge, to dwel any other where onles he bryng a letter patent conteynynge the cauſe of hys goynge vnder the kynges ſeale therto aſſygned. And yf any ſeruaunt labourer be founde vagarant without ſuch letter, he ſhalbe take forth wᵗ by the ſhyriffe, Mayres bayliffe or other offycers, & put in ſtockes vntyl he finde ſurety of retourne to the towne to ſerue from whence he

came

came, vntyll he haue ſuche a letter to departe fo⁊ cauſe reaſonable. xii. Richardi. ii. Capitulo. iii.

☞ Bailiffes of liberties haue power to arreſt ſeruauntes & labo⁊ers that weare daggers, ſwerdes, & knyues, & them to ſeaſe & kepe vntil the ſeſſions of the peace, and the weapons to p⁊eſẽt to the Juſticers there with the names of them that beare them, and the weapons ſhalbe fo⁊fayte, except they be traueling in the countre with they⁊ mayſters, o⁊ in they⁊ landes o⁊ buſynes. xii. Richardi. ii. Capitulo. vi.

☞ Shy⁊yffes and baylyffes of liberties in they⁊ liberties are bounden to receyue ſeruauntes & labourers begginge and vagarant, and them to detayne in p⁊iſõ without bayle, without takynge of any fee o⁊ other thinge of thẽ at they⁊ entre o⁊ departing by thẽſelues o⁊ by their deputies vpõ paine of. C. s. to the kinge. xii. Ri. ii. cap. ix.

Bay=

¶ Bailiffes of liberties to whome ye kepinge of the assise of bread and ale and the correccion of the same belongeth, shall take no amerciamente nor fyne for no defaut touching the saide assise for which the offendour oughte by the lawe to haue corporal penance but they shall adiudge them to the same penance: And Bailiffes of liberties and al other that haue the kepige and ouersight of vitailes shal put in due execucion the estatute made in the xxxiii yeare of Edwarde the thyrde whiche beginnethe Quia maior pars populi. &c. xiii. R ii. Capitulo. viii.

¶ Bouchers, Fysshers. Hostellers Brewars, Bakers: Pulters, and all other sellers of vitayles are bounden to sell such maner of vitayles at a resonable price, hauinge regarde to the price wherat suche vytayles are solde at other places nere, so that they maye haue a competente gayne and

nat

nat excessiue accordig as by ꝯ distãce of the places (frõ whens the vitailles are caried) they shal thynke reasonable to be inquired. And if any sell vitailles in any other maner & therof be conuict, he shal pai the double of that he hath receiued to the partie endamaged or in his defaut to any other that wyll sue therfore, And Mayres and Bayliffes of townes, &c. haue power to inquire of al such as offend agaist this ordinaunce in any poynt. And in case that the same Mayres, and Bailiffes be negligent in doinge execuciõ of the premisses, and thereupon be cõuicted by the Justicers assigned by vs, they shalbe compelled by the same Justicers to restore the treble value of the thynge solde to the partie greued, or to any other that in his defaut wyl sue and neuertheles shall be greuously punished agaynste vs, xxiii. Edwardi. iii. Capitulo. vi.

¶ No Stewarde, Baylyffe, nor other minister of lordes of fraunchises whiche haue retourne of writtes shal be atturney to any person in any matter within the same fraūchise or Baylywike where he is officer at any maner of tyme. iiii. Henrici. iiii. Capi. xix

¶ If any heinous riotte be made, ỹ Justicers of the peace and the shiriffe or vndershiriffe ought to do theyr office accordinge to the estatute made xviii. H. iiii, And if they do nat at the sute of the party greued a commissiō shal go forth to inquire thereof, and of the defaulte of the Justicers and the shyryffe and ỹ Coroner shal serue the proceſſe, and he muſte retourne persons that haue lande to the yerely value of. x. li. and shall retourne also xx. s. in issues at the fyrſte daye, and xl. s. at the seconde daye, and at the thyrde daye. ¶. s. and so double it at euery daye after. And yf defaut be in

be in the Cozoner in returning the is-
sues, oz of persons of such lande, he
shal lese .xl. li. And if the olde shyrrfe
be discharged, the newe shyrrfe shall
serue the prozesse, and nat the Cozo-
ner, vpon payne of .xl. li. if the defaute
be founden in him, touchinge the
tourne of other persons by him enpa
neled whiche haue nat landes to the
yerely value of .x. li. oz to returne such
issues as the Cozoners be charged
with. And Baylyffes of liberties are
bounden foz to impanel sufficient per
sons, as aboue is sayde, vpon payne
to lese .xl. li, in case that suche persons
may be founde within his Bailiwike
ii. Henrici. iiii. Capitulo. viii.

¶ Baylyffes of fraunchyses oughte
to make theyr retournes, and aun-
swere vnto the Shyrrfe vppon hys
precept made vnto them in a spectal
writ of Assise. vi. dates before the day
of ỹ sessiõs vpõ paine to forfait. xl. li.

foz

for euery tyme that they shall do the contrary. vi. Henrici sexti capitulo secundo.

¶ Where a precepte is made to the Shyrisse by Justicers of the peace to retourne a panell to inquire of forcible entre, and he sendethe his precepte to ỹ Bailiffe of the libertie to returne the panel bicause the riotte was done within the libertie, nowe is the Bayliffe bounden to make due retourne and execucion of the preceptes to him directed vpon payne of xx li, for euerye defaute. And the estatute wyll that the Shyrysse shal retourne. xx. s. in issues vpon euery Jurrur at the fyrste daye, and that euerye Jurroure whiche shal passe in the inquire, shal spende xl, s. yerely, whereby it semeth that Bayliffes of libertes are boundē to do likewise, if so many of ỹ saide Jurrours be win his libertie, for els he is nat. viii. Henrici. vi. capitula. ix

Bayliffes

¶ Baylyffes of lybertyes in attayntes vpon plee of lãde of the yerely value of.xl. s̄. or more, nor in attayntes for dedes concernyng landes of lyke value, nor in attayntes vpon personal actions wherin the recouery extendeth vnto .xl.li. or more, shall nat retourne or impanel any persons i such inquestes, but those that be dwelling within his Bailywike, and that haue estate to theyr owne vse in landes or tenementes for terme of life to the yerely value of twenty pounde or more within his Baylewyke out of auncyent demesne and the fyue portes. And at the first day of the distresse retourned, shall retourne no lesse yssues in such actions of attaint than.xl.s̄. and at the seconde dystres. C.s̄. And the double of euerye other dystres vpon the persons so impanelled and retourned. And if he do the contrarye, he shal pay.x.li. to the king and as much

to the party. 51. Henrici sexti. Capitulo quinto.

❧ Baylyffes and other the kynges offycers may arrest those souldyours that come from the see and shewe nat letters testimonials from theyr Captaynes that they haue licensed them. And they shall kepe them vntyll they haue enquired whether that they had licēce or nat, and if they haue no such lysence, then shall they be punysshed as felons .xviii. H. vi. Capitulo. xix.

❧ No Baylyffe of a lybertye (vpon any precept to hi directed to retourne the panell of any enquest) shal in the saume retourne any Bailiffes, officers or seruauntes to any offycer aboue-sayd, nor shal take any thing by them self or by other of any person by them arrested or attached to theyr owne vse or auayle, nor of any other person for any arrest or attachement by the bodye made by them, or that is arrested by

by vertue of theyr offyce, for fyne, fee, fuyte of pryſon, maynpris, lettynge to baylle, of ſhewynge of any eaſe or fauour to any perſon ſo beyng arreſted for theyr rewarde or profite, but as is here lymytted, that is to wete for the Shyriffe. xx. ð. the Bailyffe that maketh the arreſt. iiii. ð. and to the gayloure if the pryſoner be commytted to hym. iiii. ð. And no Baylyffe of any liberty, nor Coroner by him ſelfe nor by other by colours of his offyce ſhal take any thynge for the makynge of retourne or panell, and for the copye of a panel but. iiii. ð. Alſo Baylyffes of lybertyes ſhall let out of pryſon all perſons by them arreſted or being in theyr keppynge by force of any bylle, wrytte, or warrant in any accion perſonall, or by force of any inditemēt of treſpas, vpon reaſonable ſuertye hauing ſufficient within the Bailewike wher they be let to baile, to kepe theyr

dayes in the same places as the same
bylle, wrytte, or warrant shal inquire
those only excepted, which be in ward
vppon any condempnacyon, or be ex-
comunycate, or outlawed, or arrested
vpon suretye of the peace, and vaga-
rauntes that refuse to serue. And that
the sayd Bayliffes shal nat take any
oblygacion of any person, nor by any
person being in their warde by course
of the lawe, for any the causes above
rehersyd, but in the name of theyr of-
fice and vpon the condicyon that the
same person shal appere at the dayes
contayned in the sayd wryttes, bylles
or warranties, and in suche places as
they requyre. And if any Bayllyffe
take any oblygaciō in any other forme
by coloure of his offyces, it shalbe
voyde, and that he shall take no more
for the makynge of any suche obliga-
cyon, warrantye, or precepte by them
to be made, but foure .d. And if they

do contrarye vnto thys ordynaunce in any poynte, for so doyng they shall rendre to the party greued his damages treble, and shal forfayte for euery tyme that they do the contrarye .xl.li. the one halfe whereof shalbe to hym that wyl sue in any of the kings courtes therefore .&c. xxiii. Henrici septi.

Capitulo decimo.

¶ Baylliffes of lyberties ought nat to seale the goodes of any person arrested or imprisoned for felony, before that they shalbe conuicted or attaynted of the same felony, accordynge to the lawe, or els that the same goodes be otherwyse forfayted, vppon payne to forfayte the double value of the goodes so taken, vnto the partyes endamaged, suing therfore by action of det, wherein no wager of lawe, essoygne, nor protection shall in any wyse be allowed to the defendaunt, primo. Richardi secundo. Capitulo tertio.

¶ Baylliffes of liberties that be gaolers and haue the kepinge of gaoles shall certyfy the names of euery prysoner in his gaole that is there for felony, at the next generall Gaole delyuere in euery countye or fraunchyse (where such gaole is) to be kalendred before the Justices of the same gaole delyuere, vpon payne to forfayte for euerye defaulte there recorded. C. ii. In.tercio Henrici.septimi. Capitu.

¶ All Baylyffes and other hed officers, and euery of them fyndynge or knowing any person vsing or exercysyng any vnlaweful games contrary to the statutes, haue power to commyt euery such offendoure to warde, and there to remayne in prysone without bayle, or mainprise, tyll such tyme as he be bound by obligacion in such sum, as by discrecion of him y taketh the bounde semeth reasonable, to the kings vse, that he shall play no more.

Anno

An. sexto. Henrici octaui. Ca. secūdo.

All statutes made agaynst Shiriffes, vnder Shiriffes, Baylyffes, or other mynisters for makyng or retournynge of panels, or iuries, or for due execuciō or seruinge of writes or other proces, or for takynge of fees or for the reformacyon of extorcyons. or for any other thynge concernynge theyr offyce, and all paynes contayned in euery suche estatute, shalbe extended to all Stewardes, Baylyffes and other ministers, and offycers of lybertyes and fraunchеses hauing retourne of writtes, and execucion ther of in like maner as they extēde to shiriffes, theyr vnder Shyryffes, Baylyffes nor other mynysters, sauynge that the Baylyffes, and offycers of lybertyes may occuppye theyr offyces for as longe tyme as they shalbe gyuen vnto them. Anno. xxvii. Henrici octaui. Capitulo. xxiii.

THE OFFYCE OF ESCHEATOVRS.

YE shall enquyre of Eschetours, if they haue duely executed theyr offyce, and yf they haue taken anye moze foz doynge therof then they ought, oz if they haue commytted and done any extozcyō, oz oppzession vnto the kyngs people by coloure of theyr offyce. And therfoze ye shal vnderstande that no Escheatour ought to medle, oz inquire foz ỹ king but in case where the kynge of ryghte oughte to be entyteled and haue the lande oz thing that is founde foz him by the enquest, foz if one holde of the kynge as of his duchye of Lancaster by knyghtes seruyce, & dye his heyre beynge within age, the kynge ought to haue the warde of ỹ heyre, and the lande. And yet in that case if the Eschetour

chetour fynde it by office, he shal haue nothyng for the fyndyng therof, bycause the tenant helde nat of the kyng in cheife as of his Crowne. And therfore the kyng may enter and seale the lande and the heyre without office, & may graunt it. In lyke maner if the Escheatour fynde by offyce that one dyed sealyd and helde of other lordes and nat of the kyng by knyghtes seruice and that he is dead and his heire within age, the Escheatour shall demaunde nothing of right for finding of such an offyce. And so if he fynde an offyce that one died seased of suche amanour in fee, and held of the kyng as of suche an honoure or Castell by knightes seruyce, and his heire within age: yet ought nat the Escheatour to haue any fee or dutye for the finding of that office, and if he take any thing therfore, it is extorcion, which is well prouyd by a wryt of (diem clausit ex-

tremum) the worde whereof be these Quia Georgius Fer qui de nobis tenuit in capite die quo obiit, diē clausit extremum, vt accepimus, ideo tibi precepimus. &c. Wherby it appereth that if one holde nat of the kynge in chiefe, the Eschetour ought nat to haue the fee of forty shyllynges for fyndynge of the offyce. And if he take it in that behalfe it is extorcion.

☞ And in assyse if the defendant say that the landes are seased into ẏ kinges handes by the Eschetour, and the Escheatour being there presente and examined by the Justices there vpon do confesse that he hath seased the landes into the Kynges handes, where in dede he hathe nat so done: in thys case the Eschetour doth wrong to the plaintyfe, which may haue no accyon vpon his case agaynst the Eschetour for his falsed, and for the delay that he hath susteyned throughe that con-

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keſſyon by ſuienge to the kynge for a (Procedendo.)

¶ None ſhalbe Subeſchetour onles he haue ſuffycient landes in thoſe places where he is offycer to aunſwere to the kinge and his people, in caſe that any wyll complayne agaynſte them. Anno quarto Edwardi. tercii. Capi. nono. Anno. v. eiuſdem. Capitu. iiii.

☞ The Eſcheatours ſhalbe choſen euery yere, as the ſhiriffe ſhalbe, and by the ſame perſons ỹ choſe the Shiriffes. And that no Eſchetour ſhall abyde in his office aboue one yeare. An. viii. Edwardi tercii. Capitulo. 4.

¶ The Eſcheatour ſhal nat do waſt in Byſhoppꝛykes, and other places duringe the vacacyon of them, neyther ſhall ſell vnder wodes, noꝛ chaſe in parkes oꝛ warrẽs, noꝛ kyſhe in pondes, oꝛ fre kyſhynges, noꝛ maye take no fin̄ of any tenemẽtes fre noꝛ bõde but ſhal cauſe thẽ to be kepte & ſaued

with

without doynge damage or any maner of oppression, An. xxiiii. Edwardi tertii. Capitulo quarto.

☞ So by thys estatute it apperethe that it appertayneth to the offyce of an Escheatour to sease the temporalytes of Archebyshoprikes, Byshoprikes and Abbeies of the kyng in soũ dacyon, durynge the vacacyon of the same, and to take the profytes, and to accompte for them to the kynge in the Escheaker. Howe be it there is an other estatute made in the same yere, the effect wherof is, that if the Dean, and chap. Priour, or Suppriour, wyll take temporalties to ferme, payenge the value accordynge to the remembraunces in the Escheaker, that they shall haue thẽ before any other. And by an other estatute made the same yere Capi. quinto the Chauncelloure, Tresorer of the Escheker takynge to them suche other of the Councell, as

they

they shall thinke good, shall lease the vacations of Archebyshoprikes. Byshoprykes, Abbeyes, prioryes, and other houses of relygion (thauoidāce wherof belong to the king) the Dean and Chapiter, Prior, or Suppriour Prioryes, or Suppriores, and Couent at a certaine rent to paye by the yere, quarter, or moneth, durynge the vacations as they shal thinke best, with out makynge fyne. And neyther the Eschetour, nor any other offycer shal seke cause or matter, to enter, or to medle, or do any thynge in prejudyce of the churche. Sauinge to the kyng and his heyres knyghtes fees aduousons, Escheates, wardes, Mariages Relyefes, and seruyces to the sayde fees belongynge. In wytnes wherof the kinge caused his letters patentes to be made therof, datyd at Westm. the eight day of Apryl the yere aboue mencyoned, where by it appereth that

the

thautorite aforesayde to make leasses was gyuen to the Chaunceller and ỹ Treasorer by the kynges letters patentes. &c. Anno. xiiii. Ed. iii. Cap. vi.

¶ Thescheteours and other the kynges ministers must accõpt in thescheker after this maner, that is of landȝ and tenementes, wherof profyte aryseth from tyme to tyme throughout ỹ yere as of Mylnes, herbages, tolle, plees, profitȝ of courtes, or such other issues and profites, they shalbe bounden to answere the king for the rate & value of the tyme accordynge to the olde course of thescheker. And touchyng auncient fermes and rentȝ, that are to be payde at certaine termes as Rent secke, and rent Seruice wherof no profyte aryseth vntyll the daye of payemente: suche rentes and fermes shalbe payde vnto them that haue ly uere therof out of the kynges hande at the termes of payment of the sayde

fermes

fermes and rẽtes next folowyng ſuch liuere made aſwel for the time paſſed as the time to come, An. 28. E. 3. Ca. 4.

¶ The kynge and his progenitours haue bene ſeaſed of forfaytures of wardes, tyme out of mynde that is aſ well of landes and poſſeſſyons, as of goodes and cattelles. And by colour thereof the eſcheatours by theyr offyce haue ſeaſed many landes, and tene-mentes as forfaytes to the kyng ſur-miſyng treſon in ſome perſons beyng deade at the tyme of the ſeaſer, which neuer were attaynted in theyr lyues, the kynge hath ordeyned touchynge ſuche forfaitures that fell in the tyme of his graundefather or before, that ſo ſone as an inqueſt therof ſhalbe re tourned into the Chauncerye by any Eſchetoure or other that hath power to enquyre thereof, the tenaunte ſhall nat be putte oute of poſſeſſyon, but ſhall be warned by a Scire facias

to

to appere at a certayne day for to aun swere vnto the same, if he wyll. And if no suche forfayture be founde the kynges hande shalbe closed, so that in al other cases of forfaitures of treson by persons deceased nat attaynted, nor iudged in theyr lyues, theyr heyres nor lande tenauntes shall nat be chalenged nor empeched of any other forfaytures, but of those onelye that haue bene iudged in tyme passed afore the death of certayne persons, by presentment in Eyre or in the kynges benche as of felons of the kynge and other. And therfore it semeth that if one moue warre agaynst the kynge in his realme, and is slayne in ỹ same then the Escheatoure maye sease the landes and tenementes, as forfaiture of warre without any other enquerye to be made therof.

¶ Euery Escheatour must take his inquestes of office of good & lawfull

men

men ſufficient of inheritaunce, and of good fame, and of the ſame countye where the inquyre ſhalbe made. And the iqueſtes ſhalbe indented betwene theſchetours and the Jurrours. and yf it be otherwiſe doone, they ſhalbe voide, and they ſhalbe taken in good townes openly.

℞ Trauerſe may be take to theſchetours offyce, wherby any alienacion or dyenge ſeaſed, or that the heyre is within age, and the lande holden of the kinge in chiefe is founde.

¶ Landes ſeaſed into the kinges hãdes by reaſon of warde, ſhalbe kepte without waſt. And theſchetours ſhall haue no fee of veniſon, fiſhe nor other thynge, but ſhal aunſwere the kynge of the iſſues and yerely profites arryſyng of the ſaid landes without waſt And if he do otherwiſe, then to make fine at the kinges wil, and to pay treble damages at ỹ ſuyt of the heyre, as

well within age as of full age. And if he be within age, his frendes shall haue the suit for him aunswerynge to the heyre of that. that so shalbe recouered of him. Concerninge other landes seased into the kinges handes by inquest of office by theschetour this forsayd ordinaunce and punishment shall holde place agaynst theschetour And if any make clayme to landes so beynge seased, theschetour shall retourne an inquest into the Chaunceryе within one Monethe after suche sealer, so that a writte be deliuered to him, to certife the cause of the sealer and there shal the partye be harde to trauerse the offyce, or otherwyse to shewe hys ryghte. And the Chauncellor vppon his owne discrecion (yf he se cause) maye leasse the landes to the tenaunte payinge to the kinge the value, if it belong to the king, so that he fynde suretyes that he shall do no

waste

wast vntyll it be adiudged. And the Eſcheatours ſhall take theyr Inqueſtes in good townes, & by honeſt men openly by Indenture to be made betwene theſcheatour and them of the inqueſt. And if he do contrary to this ordinance, then to haue two yeres impriſonment, and further to make fyne at the kinges pleaſure. An. xxxvi. Edwardi. iii. capitulo xxii.

☞ None ſhalbe Eſchetour if he haue nat. xx. li. lande at the leaſt or more in fee, and that they execute theyr office in proper perſon. And if he be otherwiſe, then to be put out, whereby it appeareth that the Subeſcheatour cannat enquyre, nor fynde office. An. xli. Edwardi. iii. capitulo. v.

¶ Eſcheatours nor commiſſioners. ſhal nat take inqueſte, but by thoſe that be impanelled and returned by ỹ ſhyryf, & if they do otherwiſe & be conuict by examinacion or otherwiſe at ỹ

ſuyte of the partye, or of the kinge, or any other perſone that wyll ſue, they ſhall incurre the payne of .xl. li. the moytie to hym at whoſe ſuyt they ſhal be conuicte. And that no landes ſeaſed into the kinges handes ſhalbe let to ferme by the Chauncellour, vntyll the inqueſte and verdites be retourned into the chauncery, and by one moneth after the ſame retourne, except it be to the partye greued whiche was put but of thoſe landes by the inqueſtes, and wyl offre to trauerſe thē and ſhewe good euydence, and fynde ſufficiente ſuretye to ſue his trauerſe with effecte, and to paye to the kinge the yearelye value of the landes if it had to be diſcuſſed for the kinge. And if any letters patentes of any landes or tenemētes to the contrary be made to any other perſon then to him that offereth to trauerſe, or be let to ferme within a moneth nexte to the ſayd mo

neth

neth of retourne they shalbe voyde and holden for none. Anno. viii. Henrici. vi. capitulo. xix.

¶ Escheatours and Commissioners shall retourne the inquestes taken before them into the chancery, or in the eschequer within one moneth next after the takinge of the same, vpon payne of. xx. li. the one moytie to the kinge, the other to him that wyl sue, Anno viii. Henrici. vi. capitulo. xix.

¶ And if any Escheatoure take any office before him. and do nat returne the same into the chauncery or the eschequer, within the moneth next after the takynge thereof, he shall incurre the payne of. xl. li. forfayte by the statute made. Anno. viii. Henrici. vi, and further shalbe bounden to pay to ỹ king as muche as he is endamaged by the nat retnurnyng of the same. And that the chauncellour of England calling to him the treasorer of England may

lease suche fermes for the due execu-
cion of the sayde estatute. Neuerthe-
lesse it appereth that the same estatute
gyueth but, xx, li. of forfayt agaynste
Cheschetour or Commissioner. Ther
fore serche for the true recorde of both
the statutes. An. xviii. Henrici. vi. ca-
pitulo septimo.
☞ Escheatours must take theyr in-
questes of office by vertue of the writ
tes of (diem clausit extremum) and all
other writtes within one Moneth af
ter the receyte of the same, and that
suche inquestes be taken in good tow
nes and open places. And that none
of thē priuely nor openly by him selfe
or by other take any thiuge for the ex
ecucion of such writtes in one countie
aboue the sūme of, vi. s. viii. d. or. xiii
s. iiii. d, or vnder with his laboure
and his costes so that the summe that
he hath taken all togither excede nat
aboue. xl. s. for ẏ execuciō of any such
wryt

wrytte in one countye, And yf he do contrary to the premisses, then to forfayte the summe of.xl.li. the moitie to him that wyll sue for the kynge and hym self. An.xxiii. Henrici sexti. Cap. xvii.

¶ None shalbe Escheatoure, if he haue nat landes or tenementes to the value of.xx.li. within the countye for terme of lyfe, nor in the county where he is Escheatour. Nor no Eschetour shall let his office to ferme, nor make deputie (other then he wyl at hys parel answere for (whose name he muste certifie by his letters patentes to the Treasorer and Barons of the Cheker for the tyme beyuge within.xx. dayes after such deputaciō made. And that no suche deputye take vpon hym to occupie in the sayde office onles the Escheatour haue landes tenementes or rentes to the yerely value of.xx.li. as before is sayd. And if any persō do cō

trary to the premisses or any of them, then to forfait for euery defaut . xl.li. the one moytie to hym that wyl sue, & the other to the vse of the kings house by accion of dette, where no wager of lawe, essoyne, or proteccion shall lye. Anno. xii. Edwardi. iiii. Capitulo. ix.

¶ No shyryffe, Eschetour. nor other person shal sease or take ꝑ goodes of any person arrested or imprisoned for felony before that the same person so arrested or imprisoned be conuicte, or attainted of ꝑ same felony according to the lawe of Englande, or that the same goodes shalbe otherwise forfayted, vppon payne to forfayt the double value of the goodes taken to the paptye damaged suynge therefore by accion of det, where no wager of law essoyne nor protection shal lye. Anno i. Richardi. iii. Capitulo. iii.

¶ If any Eschetour or Commissioner put into any of the kinges courtes any

any inquisicion or office concerninge landes or tenementes, or other hereditamentes, nat founde nor presented by the othes of .xii. men. and indented and by them sealed, then to forfayte for euery such offence retourned, and put into any of the kinges courtes one. C. li. to the party greued. An. iii. H. viii. capitulo secundo.

❧ No Escheatour nor other Commissioner shal set by vertue of any Commission to enquyre of landes & tenementes, except he haue landes or tenementes, or hereditament to the yerely value of .xl. marke oner all charges, vpon payne of .xx li,

¶ The Escheatours and Commissioners shalbe discharged by theyr othes that they may nat dispende .xl. Markes ouer al charges, and that vpon proces made against them oute of the Escheker. The Escheatours & commissioners shal set in opē places

and shall suffer euery person to gyue euidence openly in theyr presence to the inquest taken before them vpon payne of.xx.li.

¶ The Jury shall receyue the counterpayne of the indenture that shalbe presented, indented and seased by the Escheatour or Commissioner, and to rest in the possession of the fyrste man that was swore in the same Jurye vpon paine of euery person that shall be swore.xx.s.

¶ And euery Escheatour and Commissioner after ỹ the Jurye is swore and redy to giue theyr verdit, and offer to present the same, that the same Escheatours or Commissioners, or parte of them shall receyue the same verdit without further delaye vppon payne of a.C.li, and deliuer the counterpayne of the same indenture to the Jurye in fourme before sayde vppon the same payne.

And

¶ And if the Clerke of the petit bag or his deputye wyll nat receyue suche offyces, and put it into the files to remayne of recorde within thre daies after it be receyued or offred to be receyued, he to forfayt for euery such defautes, xl. li. And the Commissioner, and Escheatour to be discharged of the penaltye of xl. li, limitted by the Statute for none retournynge of the same offyces, or inquisicion within one moneth.

¶ And lyke lawe and penaltye to be agaynste the offycers in the Kynges Escheker whiche oughte to receyue suche inquisicion, for refusynge so to receyue them. And the cõmissioners, & Eschetours to be discharged of the penaltye for none retournyng of ỹ same inquisicion, so ỹ the sayde Eschetours or cõmissioners at any tyme after the moneth of such office before thẽ foũde or before any of thẽ wo in an other mo

neth

then next ensuynge, returne the sayde office into the Chauncerye, or Escheker, as the case shal requyre. And the clerke of the petie bagge to certifie ỹ transcript of euery suche office taken before any Commissioner, or Escheatour, into the Escheker the next terme folowinge the receypt thereof, vppon payne of. C. s. for euery such defaut.

¶ And no man be compelled to occupy the office of Escheatour by any patent ouer one hole yeare, and that he that is ones Eschetour shal nat be Eschetour againe within iii yeres nexte after the sayde hole yere ended.

¶ If any Escheatoure exercise hys office by reason of any patent ouer ỹ tyme of an hole yeare ended, or be made Eschetour within thre yeres after: then after the sayde hole yeare ended his patent so made to be voyde, and the partye greued shall haue hys recouerye of euerye of the sayde for

faytours

faytures of one hundreth pounde, by accion of det, where no wager of lawe eſſoyne nor protection to be allowed. There be diuers prouiſions made for diuers Eſchetours in Cities and Boroughes, and in diuers counties.

¶ And if the landes, or tenementes of any man be ſeaſed into the kynges hande by vertue of any office founde before the Eſcheatour, or Commiſſioner, or by reaſon of any other recorde founde in the chauncery . or theſcheker, and he that ſo is put oute of hys landes by reaſon of ſuche recorde, or office ſo founden come and trauerſe that recorde or office, and it is founde for him: wherupon he hath his iudgement that the kinges handes be cloſed and amoued, nowe if it ſo be that ther be an other record or office found remaynynge amongeſt the kinges recordes whiche is nat trauerſed nor cried, yet ſhall nat theſchetoure ſeaſe the

landes

landes againe into the kinges hãdes by reason of that recorde being found and nat trauersed. And if he do, then dothe he wronge and extorcion, and the partye that is put out shall haue assise against him, and shall recouer double damages against him. But in this case the kinge must sue a Scire facias against him that hathe the landes out of his handes, vpon thys other record or office that was nat trauersed before. This is giuen by the statute Lincolne called the statute of Escheotours. An. xix. Edwardi. ii.

¶ And if Theschetour by coloure of his office without warrant or auctoritie of the lawe that belongeth to his office disseise any man of his landes or tenementes, the partie that is disseised shall haue an assyse of Nouel dissetson, and shal recouer double damages against theschеatour. West. i. capitulo. xxvi.

Theschea-

¶ The Escheatours hath no power to amercye any man that appeareth before hym, and misdemeaneth hym selfe, or if the Jurrours that be somoned appere before do make defaut, he shal recorde such thinges in his rolle and shal nat amercye the Jurroures. but he shall sende the same recorde to the Justices in Eyre, or to the Justices of Assise, when they come into the countrey.

¶ It shalbe leful to the shyrryffe, Justice of peas and Eschetours to sease to the kinges vse al such goodes and cattelles that suche persons as come within this realme that be called Egipcians haue, and thereof to make accompt to the kinge in his Escheker and to retayne and kepe the moytye thereof to his owne vse and accompt for ỹ residue, & to paye no fees for the accompt, nor for his discharge therof

☞ The office of Cunstables.

FOr as much as the office of a Cunstable was an offyce at the common law of long continuance, and was fyrst ordeyned for the conseruacion of the kinges peas to be hadde and kepte in euery towne amonge the kinges subiectes there dwellyng somewhat shal be spoken. And howe farforthe theyr power doth extende, and what penalties are prouided agaynste them, for nat excutynge theyr offices.

¶ Who were conseruatoures of the peas at the common lawe.

IT is nowe to be sene for the conseruacion of the peace, what persones by the cõmon law had auctoritie ther in, before the making of the estatutes wherby Justicers of the peace are ordeyned. And it seineth that by the common lawe diuers persons were conseruatours of the peace, for at the common law there was one person which

is

is called chiefe Justyce of Englande to whom the kynge commytted hys auctoryte in the mynystracion of Justyce for thynges touchynge hys corone, and for the conseruacyon of his peace amonge his subiectes throughout al his realme. And that is prouid by the wryt whiche the kynge sendeth to hym that he shal holde his place in the ministracion of Justice to his subiect, in ỹ fourme aboue said throughout all his realme, wherby it doth appere that the same chyefe Justyce is highe cõseruatour of ỹ peas throughout al the counties of Englande, and in euery parte of the realme where he goeth. Also there be other persons cõseruatours of the peace throughout the realme, as the Stewarde of Englande, the Marshall, and the Constable of Englande. Also the constables of euery towne were and be kepers of the peace by the comen lawe, lykewise

the hyghe Constables of hundredes, Wapentakes, lathes, or tithings were and be conseruatours of the peas by the comen lawe within the townes or hundredes and within theyr lymittes And before the makinge of the statutes wherby Justicers of the peas are ordayned, the kyng by his commissiō made conseruatours of the peace in those counties and places (where hym thought best to kepe his peace. And the auctorite whiche conseruatours of the peas had by the comen lawe is the same auctorite that a Constable of a towne or wapentage hath at this daye, the which I shall partly touche

¶ If one make assault vpō the constable, the constable may defende hym and may take hym and commyt hym to the gayle vntyl he haue foūd suertye to kepe the peas, thoughe that the assaulte were made vppon hym selfe. As it appereth Wicha. quinto. Henrici

tici septimi, in the tytle Barre. Much more then, if a Constable se one makynge assaulte vpon a straunge person, he may take hym, and commytte hym to pryson, or to the gayle, vntyll he haue founde suretye to kepe the peace.

☞ And yf one man threate an other whereupon he that is threatened cometh to the Constable, and shewethe his matter, and prayeth him to compell hym that soo threatened hym to fynde suertye: in this case the Constables and the partye that is thretened may go, and compell hym that so dyd make suche threatenynge to fynde suertye to kepe the peace, and if he wyll nat, they may eommyt hym to warde vntyll he hathe founde suche suertye as you maye se. M. xiiii. Edwardi. tertii, in the tytle of Barre.

¶ And if one be stryken in parell of death, it is ẏ offyce of the Cōstable of

the towne to arrest the offendour, and to kepe him in prison vntyl it be knowen whether the party so strikes wyll lyue or dye, or vntyll ỹ he haue foũde suerty to appere before the Justicers of Gayle delyuery, or at such tyme as he shalbe called vppon to appere before the Justicers at theyr discrecion.

☞ And if one flye for felony it is the offyce of the Constable of the towne to sease his goodes and to kepe them and yf they happe to be impayred in his kepinge, he shal answere for them to the kinge. ii. Edwar. iii. in the Eyre of Northampton. But by the statute made. i Richardi tercii. Cap. iii. that is changed. And if felons or murderers be in the towne, and the Constable haue knowelege thereof it is hys offyce and dutye to assemble people for to take them.

¶ And if one take a felon in ỹ towne and bring him to the Constable to be con

cõueyed to the gayle, the Constables offyce is to carye hym thyther, and to cause other of the towne to ayde and assyste hym in so doynge.

☞ And note that Constables were ordayned for two intentes, that is to wytte to kepe the peas, and also to repelle felons. to take suertye by obligacyon of suche persons as they shal fynde makynge affrays.

¶ It apertaineth to the offyce of the cheke Constable of Englande to haue conusaunce of dedes of armes and contractes touchyng dedes of armes and of war out of the realme, and in lyke maner of thynges touchyng armes within the realme, which can nat be determyned by the comen lawe, as it aperyth clerely by the statute made the. xiii. yere of Richar. ii. Capitu. ii.

✝ Also it appereth by ỹ statute made In. i. H. 4. Ca. xiiii. ỹ all appeal to be made of thiges done out of ỹ realme

of Englande ſhalbe tryed, and deter-
myned before the Conſtable & Mar-
ſhal of Englande for the tyme being.
¶ Alſo when battayle is ioyned in a
wryt of right or in appeale, that ſhal-
be derayned before the conſtable and
Marſhal, howbeit the Juſtices muſt
ſe the batayle done, bycauſe that they
be properly Judges thereof and nat
the Conſtable, nor the Marſhall.
¶ And the Conſtables, haue many
other auctorytes aſwell by the comen
lawe, as by eſtatutes made the which
you may ſe there.
✠ In. vii. Ed. iiii. it is ſayd that Gar-
deyns of the peace at the comen lawe
maye inquyre of congregacyons and
vnlawefull aſſembles, and of diſſea-
ſon with force, but nat of entres with
force. But nowe by the ſtatute, if one
entre with force, or do dyſſeaſon with
force, or entre peaſable, and kepe
poſſeſſyon with force, the Juſtyces of

peas

peace maye make restytucyon to the partye, and put hym in possessyon by theyr wrytte directed to the Shirifie.

¶ Constables in the townes where they beare office, may arrest men that go or ryde armed in fayres, or markettes by day or by nyght, and take theyr armour as forfayt to the kyng and inprison them at the kinges plesure. An. ii. E. tertii. at Northampto.

¶ The kynges purueyours ought to make theyr purueiãce for the kynges house, by the constable, and foure honest men of the townes where such purueyaunce shalbe made, without threatenynge. And in presence of the Constables, tayles shall be made and sealed with the seales of the takers, betwene the sayde takers, and the partyes of whom the goodes be taken. And if any Taker make hys prise otherwise, it shalbe done with hi as with a theke. An. xxii. E. iii. Cap. i.

✠ Constables of townes must arrest such as passe by nyght, of whom suspection is had, and delyuer them to ỹ Shyrisse. there to remayne in warde vntyll they be duely delyuerred. Also they muste arreste suche as be called Robberdes mẽ, Wasters, & Drawe latches (if suspection be had of anye suche) be it by nyght or daye, and delyuer them to the Shiriffe vntyll the commynge of the Justycers of gayle deliuere. An. v. Ed iii. Capitulo. xiiii

✠ It is ordeyned that none shal take for threshyng a quarter of wheate or corne aboue two pence. ob. and for a quarter of barly, beanes, pees, & otes i, d. ob. if so muche haue bene vsed to ge gyuen and in the countrey where they vse to repe by the sheke, & threshe by the bushel, they shall take no more nor otherwyse. And that suche labourers and other seruantes shall make an othe two tymes in the yere, before

Lordes

Lordes, Stewarde, Baylyffes, and Constables of euery towne, to do and kepe this ordynaunce, and that none of thē shal go out of the towne where they dwelled in wynter for to serue in somer (yf he can haue seruyce in the same towne) sauing to the folke of the counties of Staffordе, Darby, Lancaster, Crauen and the Marches of Wales they fre liberty to labour in other coūtreis in the tyme of August. And they that refuse to make suche othe, or to perfourme that thynge that they haue sworne and taken vpon thē shalbe put in the stockes by the sayde Stewardes, Baylyffes, Constables, of townes, by the space of thre dayes or more, and shalbe sente after to the nexte gayle, and there to remaine vntyl they wyl be ordered, and that there be stockes in euery towne for the same intente. And the Stewardes, Baylyffes, and Constables, shall make

othe before Justicers assigned to enquyre diligently of al the that offend against this ordinaunce, and to certyfy theyr names before the same Justycers when they shall come into the countre, to kepe theyr sessyons, vpon which certificat made the same Justycers shal cause them to be attached bi their bodies to appere before the said Justycers, to aunswere vnto suche contemptes, so that if they be attaynted they shall make fyne & raunsome and further to be cõmaunded to pryson vntyl they haue founde suerty to serue in maner aboue sayde. And the Justycers at euery tyme ỹ they shall come into the countrey, shall inquyre of Stewardes, Bayllyffes, and Constables whether they haue made good and lawfull certyfycat or haue counsealed ought for any gyfte, procuremẽt, or affinite, and shall punisshe them by fyne and raunsome, if they

be

be founde gilty. Anno. xxb. Edwardi tertii Capitulo secundo and octauo.

☞ Constables of townes where as faytours, or vagabounde resorte haue power to exampne them dylygently, and compel them to finde suertye of theyr good behauoure by sufficyent maynpernours dystreynable in case that any defaulte be founden in suche faytours, and vagabounde, And yf they can fynde no such suertye then to be sente vnto the nexte gayle there to remayne vnto the cummynge of the Justycers of Gayle delyuery, which haue auctorpte to do with such faytours and vagabounde as they shall thinke best to be done by ỹ lawe Anno primo Richardi secundi Ca. v.

☞ Constables of townes maye arreste any seruaunt laborer commyng to the towne, from any place vagaraunt, oneles he haue a letter conteynyng the case of his goynge, and the

tyme

tyme of his retourne, vnder the Kynges seale that therto shalbe assigned and delyuered to the custody of some honest man of the hundred, Wapentake, Citie, or Boroughe accordynge to the discretiō of the Justicȝ of peas. And the Constable maye put hym in the stockes, and kepe hym vntyll he haue founde suretye to retourne to hȝ seruyce, or to serue in the towne from whence he came, vntyll he haue a letter to departe vpon cause reasonable Anno. xii. Richardi. ii. Capitulo. iii.

¶ Constables haue power to arrest seruauntes and labourers that beare aboute them hangarde, dagger, or knyfe, and to seale the sayde weapons as forfayte, and them to kepe vntyll the Sessions of the Justices of peas before whom they shall presente suche wepons with the names of them that bare them, excepte that they trauayle in the countre on theyr maisters mes-

sage

sage. Anno. xiiii. Richardi secundi. Capitulo sexto.

¶ Shyryffes and other the kynges mynysters may take the power of the countrey to represse assembles, and ryottes in outragyous nombre, and to commyt them to pryson. An. xvii. Richardi secundi Cap. octauo. It semeth by these wordes (the kinges mynysters) that Constables of townes haue power to do so by this acte aswell as the Shyryffes.

¶ Constables may arreste seruauntes labozers, and imprison them by ỹ space of syxe dayes, which vse nat bowes and arrowes vpon Sondayes, and such other Festeual dayes, which wyll nat leaue vtterly al playenge at the balle, aswell with hande as with foote and other games called coytes, dyce, castyng of the stone, keyles, and all other lyke importune gaines. An. xi. Henrici quarti Capitulo quarto.

con-

¶ Constables and al the kynges liege people that are able to trauayll within the county muſt be aſſyſtynge and aydyng to the Juſticers of peace and the Shyryffes to repreſſe greate ryottes, and vnlawfull aſſembles, vpon payne of impryſonment and to make fyne and raunſome. Anno. ſecundo Henrici quinti Capitulo. viii.

¶ Constables ſhalbe made in euery partye of the marches of Wales, and market townes to enquire, ſerche and arreſte ſuche perſons that carye bytayle or armour to any parte of Wales, without the kynges lycence, whiche Constables ſhall haue the fyrſte parte of the forfaite for theyr traueyle Anno. quarto. Hen. iiii. Capitu. xxvi.

¶ Cõſtables of porte townes (where ſouldyours that haue bene retayned in wages to ſerue in warre beyonde the ſee, or vppon the ſee, and departe from theyr Cappytaynes, and tourne

backe

backe, & arryue in any porte of Englande without lycence of theyr cappytayne vnder hys seale) maye arreste suche souldyours, and kepe them vntyll enquirye be made of them, and if it may be proued by enquyrye before Justycers of the peace, and proues that thei haue mustred of receyde and departed from theyr captayne (as before is sayde) withoute lycence, then they to be punysshed as felons. Anno xviii. Henrici sexti Capitulo. xix.

¶ The constables Tithingmen and cheke pledges of euery towne must assyste and ayde the owners and sellers of any goodes (where the kinges purueyors wyl make theyr puruetance or bargaine of any goodes to the value of xl. s. or vnder of any person) & wyl nat paye prest payement in hande: in which case it shalbe lawefull to euery one of the kynges lyeges, to retayne them, and to resyst suche purueyours

and

and nat to suffre them to make anye such purueiaunce. And if the constable, Tithyng man, or chiefe pledge be requyred to ayde or assyste any man in makynge such resistence, and he refuse it, he shall paye to the party greuyd the value of the thynge so taken by accyon of det, with the damages to the double. Anno. xx. Henrici sexti, Capitulo. xiiii.

¶ Constables maye arreste pursueyours or biers of any lord, or other person (except purueiours for the kynge and Quene) whiche take any vytayle or cariage agaynst the wyl of the owners, and to commyt them to the nexte prison of the kinges, there to remaine without baylle or maineprise, vntyll they haue delyuered all the sayde vytaylles, or cariage, and other thinges so taken. And if the Constables do otherwise when they be required, thei shall forfayte twentye pounde. The

moyte

moytie to be to the party from whom the goodes were taken, to be recouered by accion of det, wherin the defendaunt shal nat wage his lawe. Anno xxiii. Henrici. vi. Cap. xiii.

Clothiers shal pay to carders fyners, and other labourers lawefull money for they? wages, and carders fullers and other labourers shall do they? duety vpon payne of double damages. And the Constables of the hundred or Constable may heare and determine the complayntes of euery such clothier and labourer as wel for none payment of the sayde wages of labourers, as of the sayd forfaytures and damages by due examinacion of the parties in that behalfe, & further for none payment of the sayd duetyes forfaitures and damages, to commit the trespassours to the next gayle in the same countie, vntyll the sayde duties, forfaytures & damages be duely

payed vnto the said labourers, or clothiers. An.iiii. Edwardi.iiii. capitulo primo.

Euery hygh Constables or petye Cunstable shal take or cause to be taken al vacabundes, ydle people, and suspect persons liuinge suspeciously and set them in the stockes and there to remaine by one day and one night and to haue none other sustynaunce but breade and water, and then to auoyde the towne where they were taken into suche place or hūdreth where they were borne; or where they laste dwelled by the space of thre yeares. And if offisones they be taken in suche defaulte then they to be set lykewyse in the stockes by thre dayes and thre nyghtes with lyke diet. An.xix. Henrici septimi. capitulo.xii.

Constables & other head offycers & euery of thē findinge or knowynge any persō vsinge or exercysynge any vnlawe-

vnlawful games, as tenes play, bowles, classhe, and all other vnlawefull games prohibited by many statutes shall haue full power to commytte euery suche offendour to warde, there to remayne without baile or maiprise tyl such tyme be or they so offendinge be bounden by obligacyon to the kinges vse in such some as by discrecion of the same officer shalbe thought resonable, that they frome thence forth shal nat vse any vnlawful games, an vi. Henrici. viii. cap. ii.

¶ For wages for bote men, and for theyr barges or botes, or for a barge From London to Graues ende. iii. s. or els euery person and his male. ii. d. Frō Lond to Erith, Grenewich, Gravesende, or Purfleete. xii. d. or els for euery person and his ferdell, i. d. so it passe nat. xii. d. From Lond to Woolwich. xiii. d. for a bote or wherye þ is the tyde bote, or els euery person. ob.

From London to Grenewiche. iiii.d. or elles, ob. for euery person and hys fardel. Frō London bridge, or Saint Mary Oueres, or Poules wharfe to Westminster. iii d. or els euery persō a. ob. Frō the blacke friers. Bridewel and the temple to Westminster, or Lambeth. ii. d. with theyr males, or els euery persō. ob. so that it amounte to. ii. d. From Westmister to Lābeth or Stayngate one. ob. for a bote frō London to Wortlake. xii. d. or els euery person, ii. d. with hys male. And frō those places aboue named to London for a bote, or barge lyke summes to be payed, And these articles to be kepte vppon payne to forfayte treble the fare. And Bailiffes, Cunstables, and other the kynges offycers nexte adioynynge to the feries, vppon complaint to them made, or to any of the by the that be greued in that behalfe, may arrest them and committe them

to

to ward for theyr misdemeanour. and to make tyne for the same. An. vi. Henrici. viii. Cap. vii.

¶ By the statute made. An. xxii. H. viii. howe impotent persones shalbe ordered to begge and haue theyr lyuynge. It is ordeyned that if any impotent person auctorised to begge. do begge in any other place, then within the limittes to him assygned, then the Constables and all other the kinges officers shall by theyr discretion punysshe all suche persones by imprison ment in the stockes by the space of ii. dayes and two nightes, giuing them but onely breade and water, and after that to cause euery suche person to be swore to returne agayne without delaye to the Hundred, Rape, Citie Borough, Towne, Parishe, or Franchyse, wherein they be auctorised to begge in.

¶ And if any impotent person be ta

garant, and go a begging: & haue no such letter vnder seale as is specified by thys statute then ỹ Cunstables & all other inhabytauntes within suche Townes or paryshe, shal cause euery such begger to be taken & brought to the next Justice of peace or high Constable of ỹ hundreth. And thereupon ỹ said Justicy of peace or highe Cunstable, shal commaunde the said Cunstables & inhabitaũtes of ỹ towne or paryshe, whiche shall bryng before him any such begger, that they shall stryp him naked from the myddle vpwarde & cause hi to be whipped withi ỹ towne wher he was takē, or where ỹ same Justices of peas or hyghe Cunstable shall appoynt. And if nat, then to cōmaunde suche begger to be set in the stockes in the same towne or paryshe where he was taken by the space of thre dayes & thre nyghtes to haue onely breade and water, and thereupon ỹ

sayde

ſaid Juſtices or high Cõſtables ſhal limit a place to ẏ ſame begger to beg in. And to gyue him a letter vnder ſeale in fourme before limited and to ſwere him to repaire thither immedyatly after his puniſhement executed. ✠ And al other perſones beinge hole and mightie in bodye that do begge the cunſtable of the hundrethe, rape or wapentake wherein ſuche perſons ſhalbe ſo taken. And the Juſtices of peace, or highe Cunſtable (before whome they ſhalbe brought) by theyr dyſcrecyons ſhall cauſe theym to be broughte to ſuche places where they thinke conuenient, & there ſo be whipped naked throughe the Towne, or Markette, and then to be ſworne to retourne to the place where he was borne, or where he laſt dwelled by the ſpace of thre yeares and to haue a letter vnder the ſeale witneſſynge that he hathe bene puniſhed.

¶ Also al persons that abiure to any saintuary within this realme, shalbe conueied thereunto by the constables of euery townesship, that is frō towne to towne til that he come vnto ȳ same saintuary whereunto he is abiured in lyke maner and fourme as persōs that had abiured this realme, shulde haue bene conueied to the next port of the sea from the place where they be abiured vnto the same port by course of the comen lawe before the making of this estatute. An. xxii. Henrici octaui. cap. xiii.

¶ Euery fermour or owner of lādes tenementes, or hereditamētes, whereof the yerely value or rent amoūteth to. v. pounde, which manureth the same, shall paye to euery person whiche by hys dylygence and laboure at hys owne costes taketh any olde crowes, and rokes, or choughes, vpon ȳ same landes, tenementes, or hereditamentes

tamentes of the yerely value aforsaid two pens for euery twelue olde crowes, rokes or choughes, and .i.ō. for vi. and one.ob. for thre olde crowes, rokes or choughes. And yf any fermoure, or owner refuse to paye the sayde money accordynge as is aforesayd: then vpon complaynt and profe made thereof to any Justyce of peace or hyghe Constable, the same Justice or high cunstable shal cause the same money to be leuied by distresse of the goodes and cattelles of euery such fermoure or occupier of the same landes and tenemētes. An. xiii. Henrici. viii. capi. x.

¶ Where it is ordeyned by an estatute made in the. vii. yeare of kynge Richarde the second. capitulo .ix. that he which espieth and proueth defautes in any clothes put to sale contrary to the assise therof ordeyned touching clothes, & contrary to the said estatut

shulde haue the thyrde parte of euery suche clothe beynge defectyue for his laboure by the deliuerye of the Shyrriffes, if they be present or els of the lordes of fayres & markettes, or of Stewardes, Baylyffes or Constables of townes where suche defectyue clothes shalbe found, by Indenture betweue them to be made, the whiche shalbe deliuered euery yeare into the scheker at the feast of saint Myghel by them that shal make such deliuerie, to thintent to charge the Aunagours, and Coillours, by whom suche maner of defaultes oughte to be searched and amended. An, vii. R. ii. cap. ix.

¶ If any person shyppe marchaundyse of the Staple in places suspecte adioynynge to the costes of the water and maketh no Indentures thereof betwene him & the Mayre or Constable of the towne, they shalbe forfayte and the kynge shal haue the moytye

and

and the lorde of the towne, & he tha-
founde and seased such wares, shall
haue the other moytie. And it is lawe
full for euery person to serche in these
causes, Anno. xiiii. Henrici sexti capi-
tulo quinto.

¶ It is ordeyned that a Horse man
shall paye for passage at Douer thre
shyllynges, and a fote man. vi, d.
and the Cunstables of Douer
to punish them that do the
contrary at the suit of
the party that wil
complayne,
and shal
do
him right in that behalfe
An. iiii, Edwardi
iii. capitulo
octauo.

✲

¶ The offyce of the
Coroner.

For to declare playnlye the office of a Coroner, it appearethe by the Statute of Magna Carta in the .xv. chapiter that no Coroner oughte to holde any plees of the Crowne. But Breton declareth the office of a Coroner in fourme folowinge.

¶ Fyrste that in euery countie Coroners shalbe the principal cõseruators of the peas to bere recorde of all plees of the Crowne, of abiuracions, vtlageries, and such like. And the Coroners shall make an othe before the shyriffe in the ful countie. that they shal make theyr inquestes, enrollementes, and all that to the Coroners office appertayneth lawfully, & without askinge allowance. And if any felony chaunce or treasour be founde, or any woman rauished, or prison broken, or any mã wounded nyghe vnto death, the Coroners (so sone as he shal know there

of)

of) shall sende to the Shyryffe, and Baylyffes of the places (where suche auēture shal happē) to cause to come before hi by a certaine day at ẏ place (where suche chaunce befel) foure of the next towneshyppes and other yf nede be, by whome he shall enquire the veritie and shal compel the towne shippes to sweare vppon the sayntes to shewe the truth of those articles ẏ he shal demaund of them. Then shall the Coroner and the Jurrours viewe the body, and the woundes, and the strokes, and immediatly after suche viewe had the bodye shalbe buryed. And yf the Coroner fynde the bodye buryed before his commynge, he shal record the same, neuerthelesse he shal nat omitte to digge vp the body, and make it be viewed openly of the townes. And those Jurrours which haue ben somoned. and come nat to the inqueries of Coroners shalbe amercied

at

at the comming of the Justicers at ỹ fyrst assises in those coũtyes so ỹ such defaultes be entred in the Cozoners rol, so ỹ the Cozoner shal haue no power to amercie no mã for any defaut. ☞ And when the inquest is swozne ỹ Cozouer must inquire if ỹ persõ were slayne by felony, oz by misaducture, & whether the felony were done within a house, oz without, & al ỹ circumstãce And after it shalbe enquyred who were present at the dede, and who be coulpable of the ayde, force commaundement, consent, oz receite of suche felonies wyttyngly. And if the Cozoner haue any suspeccion of ỹ fyrst inquest for concealmẽt of the trouth, oz if it be nedefull to enquyre better, & by other then shall he enquyre dyuers tymes, and all suche as thereof shall happe to be endyted, the Shyrryffes shall take in all the haste, yf they maye be founden, and yf nat, the Cozoners

shall

shall enquyre who they be, and who hathe withdrawen theim selues for the occasion. And the Shyrysse shall forthwith cause theyr landes to be seased and afterwardes all theyr goodes, and cause them to be prayssed by lawefull inquest, and the goodes with the prices shalbe enrolled in the Coroners rolle, and shall be deliuered to the towneshyppe for to be aunswerable therefore vnto the kynge in case the partye so indyted flye and wyll nat standeto tryght.

¶ And after they shal enquyre yf he that is indyted dyd euer fynde suretye to kepe the kynge peace, and the names of his Mainpernours, which he shall enter into his rolle.

¶ And yf the playntyfe wyl sue Appealle within the yeare, and the daye, then shall he fynde two sufficiente pledges to the Shyrysse of that Countye, dystreynable within

the

the same, to sue his appeale accordig to the lawe of the land. And then shal the Coroner cause the Appeale to be entred with the names of the pledges and after it shalbe commaũded vnto the Sertaunte of the countye where such felony is done (whiche as me semeth is the Shyryffe or his Bailyffe errant) that he haue the bodye at the nexte countye, And if the Sertaunte retourne at the seconde countye that he can nat finde them, then shal it be awarded that the principall beynge appealed of the dede, shalbe solemply called to stande ryght touchynge the same felony, and so shalbe called frõ countie to countie, vntyll they come or be outlawed. And if the playntyffe make defaute at any countye then shall the exigent passe vntyll the commynge of the Justyces of the kynges benche, or the Justices in Eyre in the countie. And if the principall be out

lawed

lawed, the exygentes shall go forthe immedyatly agaynst the accessoryes. And when ther shalbe outlawed with drawen or suspected, the Coroner shal enquyre at whose tyndyng such a fugytyfe hath bene, and accordyng vnto the verdyte he shal enroll, and then enquyre of the landes and gooddes of the fugytiue. And if they appere before the outlary, they shalbe repleuyable. And if the felony were done out of a house, the Coroner shall enquyre who founde the bodye fyrste, and he shalbe taken and lette go vnder suerties. And that no Jurrour be remouyd by challenge of any partye. Neither shall any Coroner take any thig by hym selfe, or by other, nor suffre to be taken by his clerke, for doinge hys office: And yf it be founde that any is deade by mysaduenture, then shall it be enquyred what mysaduenture, as if it be founden that he fell from a

Mylne it shalbe enquyred what thinges were then mouynge there, and howe muche they be worthe and so yf he fel out of a cart, And if one fall out of a shyp, nothyng shalbe iudged the cause of his death but the shippe, and the thynges that moue therein, and nat the marchaundyse lyenge therin.

¶ And ỹ Cozoners ought to receyue the cõfession of felonies made by pzouours in pzesence of the Shyzyffe, who shalbe his Comptroullour in al his office, and such confession he shal cause to be enrolled. And when any persõ flieth to a churche, so sone as the Cozoner shall haue knowledge therof, he shall sende to the Baylyffe of the place, that he shall cause to come before hym by a certayne daye, the neyghebours, and foure of the nexte towne shippes adioyning to the churche, and in theyr presence shal receyue the confessyon of the felonye. And yf

the fugitiue praye to abiure ẏ realme the Coroner shall do that the whiche to his offyce belongeth.

Also he shall enquyre of rape, and all the cyrcumstaunce, the Appealles wherof withal other appealles of robberye, felonye, and suche lyke, he shall cause to be entred in his rolle,

¶ Also they shal enquire of treasour founden, of wreckes of the see, and of Sturgeons, and of Whales taken, and who were the takers, whose names they shal enrolle, and let them go by maynpryse. And suche thynges as shall happen to be founde, they shall safely kepe to the kinges vse. And the Shyryffes, and Baylyffes, shalbe alwayes attendaunte vpon them, and theyr commaundementes.

¶ It is ordayned that throughe out al the Counties of Englande there be chosen suffycyente Coroners, of the most sage and lawfull knyghtes that

maye beste to the same offyce extende whiche lawefully shall attache, and presente plees of the Coroner as well of appealles, as of thynges to ẏ same offyce belongynge. And that no Coroner demaunde nor take any thynge for doynge his offyce, vpon payne of a greuous forfayture to the Kynge. i, Westm̄. Capi. xii. But nowe by the statute made. An. i. H. viii. Cap. i. the Coroner shal haue. xiii. s̄. iiii. d̄. of the goodes of the murderer, And yf the mourder be commytted in the daye tyme, and the mourderer escape, the Coroner shall haue. xiii. s̄. iiii. d̄. for the escape vpon the towneshyppe.

☞ Also it apperethe by an estatute made in the. xiii. yere of Edwarde the fyrste, whiche is called the statute of Excester, vnder what order inquisycyon shalbe made of the defaultes of Coroners (be they alyue or deade) where ye shall se the charge that shal-

be gyuen to the inquestes that shalbe charged to enquyre of Coroners; in whiche charge it appereth further, what the Coroner ought to do by hys office, whiche charge here ensuythe.

☞ The fourme of the charge to enquire of the defaultes of Coroners accordynge to the estatute of Excester.

FYRSTE they shal enquire if the Coroner go in proper person to do his office, or nat, wherby it apperythe that he can nat make a deputy

2 Also if he haue sent any other to do his office what he was, and howe often and aboute what aduentures.

3 Also if he came at euery tyme of his owne good wyll without delaye, or that he or his clarke haue taken any thynge for the more spede executynge of theyr office.

4 Also if he tarye or delaye to thentente to haue any rewarde after that he hathe knoweledge of the trouthe, and after that he is sente vnto, howe often, and in what place, and vnder what maner.

5 Also yf the gooddes of felons taken by hym, be delyuered to the townes to kepe by a lawefull enquest as they ought to be, and enrolled in hys recorde or nat.

6 Also if the Cozoner take any thing of any persone for to take a false inquest for to destroye the ryghte of anye, or to prayse the goodes for lesse then they be worthe.

7 Also if he enter any thynge in hys rolles, otherwyse then it was gyuen by the inquest, and what thynge he, or his clerke toke therfore, and howe often, and for what thynge he or hys clerke toke suche thynge.

8 Also yf he or his clerke toke of the

goodes

goodes that were prayſed, and pry-
ſed them at leſſe then thei entred them
in theyr rolles.

9 Alſo if the pryces were nat aſſeſſed
by the enqueſte.

10 Alſo if the townethip were falſely
charged, and of what thinge.

11 Alſo if any appeales were falſelye
enrolled, or imbeſyled out of the rol-
les, after that they were entred.

12 Alſo if he refuſe to take any plaint
of appeale, for pouerty, hate, or other
lyke cauſe, and what he toke for ỹ oc-
caſyon, and of whom, and how much.

13 Alſo yf he or his Clarke haue ta-
ken ought of the goodes of the party
that is deade vppon whoſe bodye he
take viewe, what thynge it was, and
howe often he ſo dyd.

14 Alſo if he haue entred al the atta-
chementes belongynge to hys offyce
in due maner, or yf he haue made any
attachemente for to greue any perſon

or to haue of hys owne, and entre it into his rolles.

15 Also if he haue nat done his offyce at all tymes at his owne costes with out takynge ought therfore.

16 Also if he haue conseled oughte at any county, or procured to be murdered, to the greuance of any person and if he so dyd then to enquire howe often, and for what rewarde, and for whom, and in what case he so dyd.

17 Also if al the attachementes hangyng, and lawfully receyued be pursued by hym as he ought to do for the kynge or for the partye, or cause to be pursued.

18 Also if the goodes of such as haue fled the townes where they dwell for suspection of felony, were attached by him, and praysed by enquest, and enrolled accordig therunto, & delyuered vnto the townes (where those goodes were founden) to kepe safelye vntyll

the cõmyng of the Justicers in Eyre.

19 Also if he suffre appealles or other plaintes to hym made, to be conueyed awaye, imbeseled, or rayled out of the rolles, and if he take ought for suche falshed, of whom, howe muche and howe many tymes,

20 Item yf there were any treasoure founde in the tyme of the same Cozouer, in what place, and what maner of treasoure, and howe muche, and in whose hãdes it resisteth, and by whose delyueraunce.

℞ This is the hole charge that Justycers in Eyre must gyue, for to enquyre of Cozoners, and of theyr defaultes. Fortheremore Justyces in Eire may impanel other inquestes of foure and twenty persons of the body of the county to inquyre of the cõceal ment of the first inquestes which dyd enquire of the defaultes of Cozoners

¶ When Cozoners haue any know

ledge

ledge from the kynges Baylyffes, or other honeste men of the countrey for to go vnto such as be slaine, or sodainlye deade, or wounded, or breakers of houses, or to anye place where treasoure is sayde to founde: they muste go forthwith, and commaunde foure, fyue, or sixe, of the next townesshippes that they be afore them at suche a day and place, and when they shall come, then the Coroner must make enquyre thereof in fourme folowynge.

¶ Fyrste if the person were slayne in house, or in the felde, in bed or at the tauerne, &c. and who be gylty there eyther of the dede or cõsent. &c. And any be in the courte, whiche were these so that thei can speke, or haue any discrecion, and they that be founde gilty by inqueste shalbe taken, and delyuered to the Shyrryffe. And suche as were present, and be nat gylty shalbe attached vntyl the comming of the Justy-

ces

ces, and theyr names shalbe wrytten in the Coroners rolle.

☞ If any be sodaynlye slayne in fyldes, or in the woodes, it is fyrste to be sene whethere he were slayne there or nat, and yf he were nat slayne there, then as nere as they can, they shal folowe the steppes of him that brought the body thether with horse, or carte, yf it be possyble, in case the murderer be knowen, and yf he be a straunger, then shall they enquyre where he was lodged the nyghte before. And touchinge such as shalbe founden gylty the Coroner shall go immedyatlye to theyr houses, and enquyre what goodes and landes they haue, and howe muche they be worthe by the yere.

✠ But by the statute of kinge Ri. the iii. it is ordayned that the landes and goodes of suche persons shall nat be sealyd vntyll they be attaynted, or otherwise cõuicte by course of the lawe

And

And these thynges thus beynge enquyre the bodyes shalbe buryed incontynent.

☞ Moreouer they muste enquyre of such as be drowned or dead sodaynly and whether they were drowned or strangled, or slaine, and they must enquire who were the finders that they may be attached. Also they must viewe the length, bredth, and depnes of all woundes, and must enquyre with what weapons, and in what place of the bodye. And if the wounde be mortall the offendour shalbe kept vntyll it be knowen whether the partye may be hole. And if the wounde be greate, then he shalbe let go vnder foure, or syxe pledges and if it be but lytel, the two pledges shall suffyse. Also they muste enquyre of horse, cartes, and other thynges wherby any were slayne that they maye be praysed and delyuered vt supra.

Also

Also they shall enquyre of wrecke of the see, and if any laye hande vpon it, he shalbe attached by good pledges and the wrecke shalbe praysed and delyuered to the nexte townelhippes. Furthermore hue and crye shalbe leuyed vppon all manslaughters, burglaryes, or when any is slayne or in parell of death if it may be. And al shall folowe suche hue and crye, yf they be able and they that do nat, shal be attached to appere before the Justyces, &c.

Also yf any persone flye vnto the Churche, or other halowed place for murdre, felonye, or suche lyke offence the Coroner vpon knowledge therof shall come thether and take his confessyon, and if he wyll abiure the realme, the Coronet shall receyue hys abiuracyon, whiche he shall saye in this fourme.

THE FOVRME OF THE ABIVRACION.

HERE you this Syr Coroner that I. A. B. am a theke of one horse (or other lyke thynge) or a man slear of one man (or mo) and a felon of our soueraygne lorde kynge Henry the eyght. And forasmuche as I haue commytted manye euyll deades and felonyes in this his realme, I here abiure his lande for euer, and shal make as muche hast as I can to the hauen of. D. which you haue assygned me, & I shal nat depart out of ỹ highe way, and if I do, I wyl that I be taken as a theke and felon of the kyng. And further I shal dyligẽtly seke my passage at the place aboue limited, and I shal nat abyde there any lenger then one ebbe and one flod, if I may haue passage. And if I can haue no passage in so much space, I shal go euery day into

the

the see vp to my knees, and assay if I can get ouer. And if I can nat so do within forty daies continuing. I shal yelde my selfe agayne to the churche, as the Kynges thefe and felone. So helpe me God and holydome.

¶ Neuertheles it semethe that when any person shal abiure, him behoueth to shewe the place, the daye, and yere, and in what countye he dyd the felonye, or Murder, whiche confessyon shalbe as an Indytemente in effecte natwithstandynge yfhe do it nat but only as before is expressed, it is good ynoughe, bycause he is attaynted before by his abiuracyon. Howe be it this maner of abiuracyon is, put out by the estatute of Henry the .viii. made in the .xii. yere of his reygne, whereby it is ordayned that suche as wyll abiure, shall make theyr abiuracyon frō al their liberty vnto some saintuary win this realme, there to remayne

duryngе theyr lyues, and shalbe burned in the ryght hande with this letter. A. And if such a person afterward be taken out of sayntuary, he shalbe ordred in lyke maner as one that had abiured the realme before the sayde estatute. And the same person that so taketh the churche shal make his abiuracyon, and shall take hys passage from thense at suche a daye and tyme as the Coroner shall appoynte, and shalbe marked vpon ẏ brawne of his thōbe on the ryght hande with a burnynge yron, and shalbe conueyed to the saynturye (wherunto he is abiured) by ẏ Maiors, Bayliffes, & Constables, in suche facyon as they haue bene whiche heretofore had abiuryd the realme. And if any felon refuse to abiure before the Coroner, he shalbe taken out of the sayntuary, and shall lese the priuyledge thereof: And that is by the statute of. A. xxi. H. 8. Ca. ii.

Also

¶ Also it is ordeyned that none shal be chosen Coroner if he haue not land sufficient within the same countye for to answere al persons. An. iiii. Edwardi iii cap. viii.

¶ And it is further ordeined that al Coroners shalbe chosen in the ful cōtie by the commons of the saide Countye of the most conuenient and able persons. An. xxviii. Edwar. iii. ca. xi.

¶ The Coroner shal enquire vpon the viewe of the body, if he were slain by daye if the Murderer be taken. And if the Murderer escape the towneshippe to be amerced. And the Coroner shal enquire of that escape whē he enquireth of the deathe vpon the viewe of the body. And the Coroner shal haue for his fee xiii. s. iiii. d. of ỹ goodes of the murderer. And if he haue no goodes then to haue his fee of suche amercyamente as shalbe set vppon the towneshippe for the scape.

And after the murder founde, the Coroner shall certifye his inquisicion afore the Justycers of the next general Gayle delyuery in that countye. And yf the Coroner be remysse, and make his inquisicion vpon the viewe of the bodye, and certyfy nat accordynge as is aforesayde: then the Coroner for euery defaute to forfaite one, C. s. An. iii. Henrici. vii. Capitulo primo.

¶ It is ordeyned that vpon enquest to the Coroner to come and inquyre of anye persone drowned or slayne by mysaduenture: the Coroner shall dylygentelye do hys offyce without any thynge takinge therfore, vpon payne of euery Coroner that wyll nat endeuer him to do his office, or that taketh any thing for doinge his offyce vpon any person dead by misaduentute. xl. s. Anno. i. Henrici. viii. Capitulo. vii

¶ In case of mans death within the vierge, it shalbe commaunded to the

Coroner

Cozoner of the Countrey, that he togyther with the Cozoner of the Kynges house do make the enquyzye, and entolle it. And that whiche can nat be determyned before the Stewarde by cause the Felons be nat attached, oz foz other lyke cause, shall remayne at the comon lawe so that the exigentes vtlagaryes and pzesentmentes therof be made in Eyze by the Cozoner of the countre, as of the other felonyes done out of the vierge, Articles vpon the Chaters. Capitulo secundo.

¶ No Cozoner, Shyzyffe, noz other offycer shall take ought foz his office and yf he do, he shall restoze twyse so much. Westminster. i. Ca. xxviii But the statute of. Hen. vii. gyuethe to the Cozoner a marke of euery murder.

¶ Also it was sayd by the Justicers M. ser to Richerdi secundi, that the Cozoner hathe no power to enquyze of mannes deathe, but onelye vppon

viewe of the bodye, and yf he do, it is frustrate and voyde. And if one Coroner enquire vppon the viewe of the bodye, & after another Coroner wyll come and enquire thereof agayne, this seconde inquere is voyde for the fyrst enquere is onely of record.

¶ If one become a prouour before ỹ Coroner he shall nat afterwarde be admitted to say that he dyd committe the acte by duresse of imprisonmente for the record of the Coroner shall estoppe to him plede that.

¶ If any wyll sue appeale of robery or larcenie, he must come into the full countye within the yeare and the day after the felony done, and must finde two pledges to folowe his suit, and ỹ Coroner shal enter his appeale mynde dyatly in his roll, and the names of ỹ pledges. And then shal it be commaũded to the Bayliffes of ỹ place, where &c. that he haue the bodye at the nexte

countye

countye. And yf he retourne at the seconde countye (Non est inuentus) then shal the appeale he called from countye to countye vntyll he be outlawed, and yf the plaintife make defalute at any countye, then shal ỹ exigent cease vntyl the Eyze of the Justicers in the some countye, and the playntyfe shal lease his accion after apparance foz euer, wherby it appeareth that after ỹ yeare and daye a man shall nat haue appeale of felonye. And to thys point a greeth Bzeton in his fyzst boke.

¶ The Cozoner must recozde his viewe, abiuracions, appeales, accusacyons of theues made befoze him, & so muste he do of all thynges that belonge vnto his office to be done, & the non suites of playntifes in appealles he muste recozde, with all thynges done in the countye whiche belonge vnto his office. Also ye shal note that appeales shalbe made in the courtes

of any lord that hath fraũchyse of In fangthef in presence of ẏ Coroner. &c.
☞ A presentment was sente into the kynges benche by a Coroner comprising howe a certaine person taken for felonye, was conueyed vnto the churche by certayne Freers. &c. And bycause the Coroner hadde no power to take suche an indytement, a writ was dyrected to the same Coroner to certyfye whether he had any other presentmente or nat. Anno. xxvii. Edwardi. iii. Libro Assisarum.
☨ An aduenture of the death of a mã was presẽted before Justiees in Eyre and bycause the same was nat founden in the Coroners rolle, the Coroner was awarded to prison. The Coroners fee in Eyre, is to haue a penny of euery venue, when they shal come.
☞ Note that a presentment made before Justycers in Eyre of a thynge, which is contrary to ẏ, that is entred in the

in the Cozoners rolle, shalbe taken as voide, and the cozoners rolle shalbe taken foz the recozde.

¶ The Cozoner shall enquyze of the death of men slaine, oz dzowned in the armes, oz creekes of the see where the lande may be sene of eyther syde. But nowe by the statute made. Anno. xiii. Richardi secundi Capitu. v. and confyzmed. Anno. ii. Henrici. iiii. Capitulo. xi. the admyzall hathe no iurysdiccyon, but onelye vpon the hyghe see, whereby it apperyth that the Cozoner hath iurysdyction there to enquyze of mannes deathe.

☞ A Cozoner may take an appeale of felonye made by an appzouour in any county of Englande, and so may he do of an abiuracion, in case that he confesse the felolye to be done in an other countye. And the Cozoner may abiure hym aswel vpon that, as if the felony had bene done within the same

countye. But he can nat take any appealle of robbrye, or felonye, onelesse it be within the saine countye where the robbetye, or felonye was committed, and where he is Coroner, for by ỹ confessiõ or appechment he is attainted, and so is he nat in the other cause ¶ One that becometh a prouour before Justicers shal nat haue a Coroner except he wyll confesse the felonye before them, and pray a Coroner. C. xxvi. Edwardi. iii.

¶ And if one become a prouour and appeal other of dyuers felonyes done in other countyes, in thys case the Coroner can nat make prose therupõ into any foreyne countye, but he shal enter it into his rol, and shal send the saine presentmente before the Justyceers of gayle deliuerie, and the Justiceers of gayle deliuerie shall awarde procesle to the Shyrryffe of the foreyne countye, for to take him that is so

so appealed.

¶ Thus ye muste vnderstande that yf any Shyryffes, Baylyffes, Eschetours, Constables, or Coroners take ought for doyng theyr offyces otherwyse then to them is lymytted by the statut⁊ before declared, that then such taking is extorciō, whiche is punishable at the king⁊ plesure, as appereth by the statutes before wrytten, and by the statute made. An. i, H, iiii. capi. xi. whereby it appeareth that Shyriffes and theyr ministers, Bailiffes & theyr mynysters, Escheatours and theyr mynysters, Coroners and theyr mynysters are bound to serue al precept⁊ to them directed frome the Justicers of peace without takynge oughte of any partye. And yf a precepte be dyrected to the Shyryffe, or any other the kynges offycer to compell any to appere before the Justycers to fynde suretie of ye peas, yf the partie (agaist

whom

whome any ſuche precepte is dyrec-
ted) be redye to come before the ſayde
Juſtyces to fynde ſuertye of the peas
they ſhal take nothynge of him. And
in lyke maner muſt they ſerue al pro-
ceſſes that come to them, dyrected out
of the kinges benche, the comon place
the Eſcheaker, or the Chauncerye
without takynge ought therfore
but onely the fees expreſſyd in
the Eſtatutes before wyt-
ten. And yf they take
any other fees, it is
playne Extor-
cyon.

A breyfe declaracyon con-
cernynge the extorcyons
of Ordinaryes, Per-
ſons, Vicars, and
Curates.

Concer

ONCERNYNGE Ordinaries, ye shall vnderstande that it is ordeined by an estatute made i the one and twentye yere of kyng Henry the eyght, that no Ordynarye shall take any thynge for the probate of the testament of such a person, whose goodes amount nat aboue the summe of a hundreth shyllynges, except to the Scribe. vi. d. only, And of goodes aboue the value of a hundrethe shyllynges, vnto forty pounde iii. s. vi. d. And the Scrybe to haue twelue pens of the same summe. And for the probate of a testamēt of goods aboue the value of forty pounde fiue shillinges, wherof the Scrybe to haue two shyllynges and syxe pence, or for euery lyne being ten inches in length one peny, any suche lyke summes for letters of administracion, where such persōs dye intestate, and the testamēt

to

to be regestred, and delyuered to the partye without delaye, and letters of administracyon to be graunted to the wyfe, or nexte of the bloude of the partye deceassed, or to bothe. And for the probate of a testament, or letter of administracion of goodes vnder the summe of a hundrethe shillinges, the Ordinary shal take nothinge. Moreouer it is the office of the Ordynary to deface ỹ seale of ỹ testatour (where with the testamẽt was sealed) and to delyuer it agayne to the partye. And yf the Ordynary take any more then afore is limitted, he shall forfayte so muche as he taketh, and ten pounded more besydes that, whereof the moite shalbe to the party greued.

☞ If the Ordynarye cyte any person to apere in a spirituall courte to depose in any matter there as a wytnes, that is extorcyon and wronge to the partye.

¶ If any Ordynary, Person, or Vycar take any mortuary after the dethe of any person, which had nat in good to the value of ten markes, that is extorcion. And likewise it is where they take a mortuary in such places where it hathe nat bene accustomed to paye mortuaryes. And euen so it is where a Person or Vycare taketh more then iii.s. and.iiii d. in the name of a mortuarye if the goodes amounte aboue ten Markes, and vnder the value of xxx.li. for that is extorcyon. Also if he take more then. vi.s. viii d. for a mortuary where the goodes be aboue the value of xxx.li. and vnder the summe of forty pounde the dettes payed, that is extorcion.

¶ And yf they take of them whose goodes amount to xl.li. aboue ye dettes payed, more then x shillinges for a mortuary, that is extorcion.

¶ And if he take any mortuary for a woman

a woman maryed, or one that is with in age, or for a man that kepethe no house, it is extorcyon.

¶ And if any mortuarye be taken in Wales, it is extorcio, except Bysshoppes that shal take mortuaryes therof prestes, & curates. And ỹ Archdeacon of Chester shall take mortuaryes of prestes within the county of Chester.

¶ And whosoeuer taketh for a mortuary more thē he ought, shal forfaite asmuch in value as he taketh, and forty shillinges beſydes that to the partye greued. An. xxi. Henri. octaui. Cap. vi.

And this haue I thought ſufficient to declare vnto you concerning Extorcions of Ordynaryes, Perſons, Vicars, and Curates.

¶ FINIS.

Impynted
at London in Fletestrete
at the sygne of the George
nexte to saynte Dunstones
Churche by Wyllyam Powell.

In the yere of our Lorde God. M.
CCCCC. XLIX.
The .IX. daye of
Marche.